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CHRONOLOGICAL TABLES

AND

INDEX

OF

THE INDIAN STATUTES.

COMPILED, UNDER THE ORDERS OF THE GOVERNMENT OF INDIA,

BY

F. G. WIGLEY,

OF THE INNER TEMPLE, BARRISTER-AT-LAW.

VOL. II.

INDEX TO THE INDIAN STATUTES IN FORCE.

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LIST OF ABBREVIATIONS.

In this Work the following abbreviations are used.

ad.	added by.
Aj.	Ajmere-Merwara.
am.	amended by.
And.	Andaman and Nicobar Islands.
Ara.	Arakan Hill District.
As.	Assam.
Ben.	Bengal.
Ben. Act	Bengal Act.
Bo.	Bombay.
Bom.	Bombay.
Bom. Act	Bombay Act.
Br. Bal.	British Baluchistan.
Bu.	Burma, Upper and Lower.
Cal.	Calcutta.
C. P.	Central Provinces.
Co.	Coorg.
Haz.	Hazara District of the Punjab.
ins.	inserted by.
Kar.	Karachi.
Lah.	Lahore.
L. B.	Lower Burma.
M.	Madras.
Mad.	Madras.
Mad. Act	Madras Act.
N.	N.-W. Provinces.
N.-W. P.	N.-W. Provinces.
N. and O. Act	N.-W. Provinces and Oudh Act.
O.	Oudh.
Or.	Orissa.
P.	Punjab.
pt. rep.	repealed in part.
Ran.	Rangoon.
Reg.	Regulation.
rep. in pt.	repealed in part.
Sub.	Suburbs.
U. B.	Upper Burma.

INDEX TO THE INDIAN STATUTES IN FORCE.

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INDEX TO THE INDIAN STATUTES IN FORCE.

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[1] This section is indexed because it is published in the Collection of Statutes elating to India.
[2] This short title was given by 59 & 60 Vict., c. 14.

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1. Generally.
2. Interpretation of particular Words and Enactments.

1. Generally.

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2. Interpretation of particular Words and Enactments.

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[1] These Acts are indexed because they are published in the Collection of Statutes relating to India.
[2] The short titles conferred by this Act have been entered in the Chronological Table of Acts of Parliament relating to India, and the collective titles so conferred have in most cases been noted in the Index.

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1874. Act 15 (Laws Local Extent).
„ Reg. 9, s. 3 (Laws, Arakan Hill District).
1875. Act 20, s. 3 (Laws, Central Provinces).
1876. Act 18, s. 3 (Laws, Oudh).
1877. Reg. 3, s. 3 (Laws, Ajmere).
1886. Act 20, s. 6 (Laws, Upper Burma).
„ Bom. Act 3 (General Clauses).
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1. Generally.

2. Interpretation of particular Words and Enactments.

1. Generally.

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ACTS AND REGULATIONS OF INDIAN LEGISLATURES—*cont.*

1. Generally—*cont.*

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„ „ to continue in force till substituted provisions come into operation - - - - Ben.Act5,1867,s.3.
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Act of Local Council - - Mad.Act1,1891,ss.4,6. N.&O.Act1,1887,s.5(am. N.&O.Act1,1896,s.3).
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1. Generally—*cont.*

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1. Generally—*cont.*

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in the Santhál Parganas (Bengal) - - - Reg.3,1872,s.3(am.Reg.3, 1886).
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2. Interpretation of particular Words and Enactments.

(*a*) *Acts and Regulations of the Governor General in Council.*

Masculine, plural, etc., words - - - - - Act10,1897,sec.13.
"Affidavit," "Barrister," "British India," "District Judge," "Father," "Government of India," "Her Majesty" or "the Queen," "High Court," "Immoveable Property," "Imprisonment," "Local Government," "Magistrate," "Month," "Moveable Property," "Oath," "Person," "Section," "Son," "Swear," "Will" and "Year," in Acts from 3rd January, 1868, and Regulations from 14th January, 1887 - - - - - „ ss.3,4(*1*).
"Abet," "Chapter," "Commencement," "Financial Year," "Local Authority," "Master" (of a ship), "Offence," "Part," "Public Nuisance," "Registered," "Schedule," "Ship," "Sign," "Sub-section" and "Writing," in Acts and Regulations from 14th January, 1887 - - - - - - „ ss.3,4(*2*).
"Act" (used with reference to an offence or a civil wrong), "Bengal Act," "Bombay Act," "British Possession," "Collector," "Colony," "Commissioner," "Consular officer," "Document," "Enactment," "Good faith," "Government," "India," "Madras Act," "North-Western Provinces and Oudh Act," "Political Agent," "Presidency town," "Privy Council," "Province," "Regulation," "Rule," "Scheduled District" and "Vessel," in Acts and Regulations from 11th March, 1897 - - - - - „ s.3.

(*b*) *Acts of the Lieutenant-Governor of Bengal in Council.*

Masculine, plural, etc., words, in Acts from 1st June, 1867 - "Affidavit," "Land," "Magistrate," "Month," "Oath," "Person," and "Swear," in Acts from 1st June, 1867 - - Ben.Act5,1867,s.1.

ACTS AND REGULATIONS OF INDIAN LEGISLATURES—*cont.*

2. Interpretation of particular Words and Enactments—*cont.*

(*c*) *Regulations and Acts of the Governor of Bombay in Council.*

Masculine, plural, etc., words - - - - - - Bom.Act3,1886,ss.3(*1*), (*2*),13.

"Affidavit," "British India," "Chapter," "City of Bombay," "Collector," "Commissioner," "From," "Government of India," "Government," "Her Majesty," "Immoveable Property," "Imprisonment," "Magistrate," "Month," "Moveable Property," "Oath," "Part," "Person," "Presidency of Bombay," "Schedule," "Section," "Swear," "To," "To abet," "Vessel," "Writing," "Written," "Year" - - - - - - Bom.Act3,1886,ss.3(rep. in pt.Act16, 1895),13.

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"Abet," "Affidavit," "Barrister," "British India," "Chapter," "City of Madras," "Collector," "Commencement," "District Collector," "Document," "Father," "Financial Year," "Good Faith," "Her Majesty," "Immoveable Property," "Imprisonment," "Judicial Proceeding," "Local Authority," "Local Government," "Magistrate," "Month," "Moveable Property," "Oath," "Offence," "Part," "Person," "Place," "Presidency of Madras," "Presidency Town," "Public," "Public Nuisance," "Registered," "Schedule," "Section," "Sign," "Son," "Sub-section," "Swear," "Value," "Will," "Writing" and "Year," in Acts from 1891 - Mad.Act1,1891,s.3(am. Mad.Act2,1896).

(*e*) *Acts of the Lieutenant-Governor of the North-Western Provinces and Oudh in Council.*

Masculine, plural, etc., words - - - - - - N.&O.Act1,1887,s.2(*1*), (*2*).

"Abet," "Affidavit," "British India," "Board of Revenue," "Chapter," "Commencement," "Collector," "Commissioner," "District Judge," "Father," "Financial Year," "Gazette," "Government," "High Court," "Immoveable Property," "Imprisonment," "Local Authority," "Magistrate," "Month," "Moveable Property," "Oath," "Offence," "Part," "Person," "Prescribed," "Public Nuisance," "Registered," "Schedule," "Section," "Sub-section," "Sign," "Son," "Swear," "Will," "Write" and "Year" - - - - - - - - N.&O.Act1,1887,s.2[am. Act20,1890,s.11(*1*);am. and pt.rep.N.&O.Act 1,1896,ss.1to3].

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ADDITIONAL POLICE. *See* DISTURBED DISTRICT; POLICE, I, A, 4; D, 4; E, 4; F, 4; G, 4; H, 4; J, 4.

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ADEN.

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2. Administration of Justice.

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Jurisdiction of Resident and his Assistants - - - Act2,1864,secs.2to7.

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3. Pilgrims and Indigent Persons.

Definitions - - - - - - - - - - Reg.11,1887,sec.2(pt.rep. Act16,1895).

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„ penalty on, for breach of Act or rule - - - „ s.5.

„ recovery of fees from - - - - - - „ s.6.

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[1] This Act is indexed because it is published in the Collection of Statutes relating to India.

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1799. Ben. Reg. 5 (Wills and Intestacies of Natives).
1802. Mad. Reg. 3, s. 16 (Administration).
1827. Ben. Reg. 5 (Management of Estates).
„ Bom. Reg. 8 (Administration).
1829. Mad. Reg. 5, ss. 2, 3 (Wills of Hindus).
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1866. Act 27, ss. 3, 7, 20, 24 to 29, 34, 43, 48, 51 to 53 (Powers of High Court).
„ Act 28, ss. 25 to 28, 38, 40 to 43, 45 (Powers of Executors and Administrators).
„ Bom. Act 12, s. 12 (Curators, Sindh).
1870. Act 21, ss. 2, 4 (Wills of Hindus, etc.).
1872. Reg. 3, s. 3 (Laws, Santhál Parganas).
1874. Act 2, s. 66 (Administrator General).
„ Act 15, ss. 3 to 7 (Laws Local Extent).
„ Reg. 9, s. 3 (Laws, Arakan Hills).
1875. Act 20, s. 3 (Laws, Central Provinces).
1877. Act 2 (Probate and Administration).
„ Reg. 3, s. 3 (Laws, Ajmere).
1881. Act 5 (Probate and Administration).
1886. Act 19, s. 2 (Powers of Lieutenant Governor, North-Western Provinces).
„ Act 20, s. 6 (Laws, Upper Burma).
1887. Act 12, ss. 1, 23 (Civil Courts, Assam, Bengal, North-Western Provinces).
1889. Act 6 (Probate and Administration).
„ Act 7 (Collection of Debts).
„ Act 11, s. 99 (2) (Courts, Burma).
1890. Reg. 1, s. 3 (Laws, British Baluchistan).
1894. Reg. 1, s. 3 (Laws, Angul).

1. Preliminary.
2. Grant of Probates and Letters of Administration.
3. Rights, Powers and Liabilities of Executors and Administrators.
4. Wrongful possession of property of deceased.
5. Collection of Debts on succession.
6. Special and Local.

1. Preliminary.

Act 19, 1841 (Curators in cases of succession)—
declared in force—
throughout British India, except as regards the Scheduled Districts - - - - - - - Act15,1874,s.3.
in the Arakan Hill District (with modifications, and with the exception of s. 16) - - - - Reg.9,1874,s.3.
extended to Sindh - - - - - - Bom.Act12,1866,s.12

Act 10, 1865 (Indian Succession Act)—
applies to whole of British India - - - - Act10,1865,s.2.

[1] This Act is indexed because it is published in the Collection of Statutes relating to India.

ADMINISTRATION OF ESTATES (INDIAN LAW)—*cont.*

1. Preliminary—*cont.*

Act 10, 1865 (Indian Succession Act)—*cont.*
declared in force in—
the Santhal Parganas - - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
the Arakan Hill District (but not so as to affect Native Christians) - - - - - - Reg.9,1874,s.3.
Upper Burma generally (except the Shan States) - - Act20,1886,s.6.
British Baluchistan - - - - - Reg.1,1890,s.3.
Act 28, 1866 (Powers of Executors and Administrators), declared in force throughout British India, except as regards the Scheduled Districts - - - - - - - - Act15,1874,s.3.
Act 21, 1870 (Hindu Wills Act)—
applies to Bengal and the towns of Madras and Bombay - Act21,1870,preamble.
declared in force in the Santhál Parganas - - - Reg.3,1872,s.3(am.Reg.3, 1886).
Act 13, 1875 (Probate and Administration), declared in force in—
the Santhál Parganas - - - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
Upper Burma generally (except the Shan States) - - Act20,1886,s.6.
Act 2, 1877 (Probate and Administration), declared in force in—
the Santhal Parganas - - - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
Upper Burma generally (except the Shan States) - - Act20,1886,s.6.
Act 5, 1881 (Probate and Administration)—
applies to whole of British India - - - - - Act5,1881,s.1.
declared in force in—
the Santhál Parganas (s. 154) - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
the Town of Mandalay - - - - - Act20,1886,s.6.
British Baluchistan - - - - - Reg.1,1890,s.3.
Act 12, 1887 (Civil Courts), applies to Assam, Bengal and North-Western Provinces - - - - - - - Act12,1887,s.1.
Act 7, 1889 (Succession Certificates)—
applies to whole of British India, including Upper Burma (except the Shan States) - - - - - Act7,1889,s.1(*3*).
declared in force in—
British Baluchistan - - - - - - Reg.1,1890,s.3.
Angul and the Khondmals - - - - - Reg.1,1894,s.3.
Ben. Reg. 5, 1799 (Wills and Intestacies of Natives), declared in force—
throughout Bengal and the North-Western Provinces, except as regards the Scheduled Districts - - - - Act15,1874,ss.6,7.
in the Central Provinces (ss. 4, 5, 6, with a modification) - Act20,1875,s.3.
in Ajmere (ss. 4, 5, 6, with a modification) - - - Reg.3,1877,s.3.
in Lower Burma (s. 7, with a modification) - - - Act11,1889,s.99(*2*).
Ben. Reg. 5, 1827 (Management of Estates), declared in force—
throughout Bengal and the North-Western Provinces, except as regards the Scheduled Districts - - - - Act15,1874,ss.6,7.
in the Central Provinces (with modifications) - - - Act20,1875,s.3.
in Ajmere (with modifications) - - - - - Reg.3,1877,s.3.
Bom. Reg. 8, 1827 (Administration)—
declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts - - - - Act15,1874,section5.
extended to Sindh - - - - - - Bom.Act12,1866,s.12.

ADMINISTRATION OF ESTATES (INDIAN LAW)—*cont.*

1. Preliminary—*cont.*

Mad. Reg. 3, 1802 (Administration), s. 1 and part of s. 16, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts	Act15,1874,s.4andSch.2 (am.Act12, 1891).
Mad. Reg. 5, 1829 (Administration, etc.), declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts	„ s.4.
Act 10, 1865 (Indian Succession Act), application of :	
The Act does not apply to wills made or intestacies occurring before 1st January, 1866	Act10,1865,s.331.
„ „ „ „ „ in case of Hindus, Muhammadans or Buddhists	„ s.331.
Power to exempt race, sect or tribe from operation of the Act	„ s.332.
S. 187 of the Act applied to certain wills of Hindus, Jainas, Sikhs and Buddhists	Act21,1870,s.2(am.Act5, 1881,s.154).
Act 5, 1881 (Probate and Administration), applies in case of Hindus, Muhammadans, Buddhists and persons exempted from operation of Act 10, 1865 ; but certain Courts must be empowered by notification before receiving applications for probate or letters of administration	Act5,1881,s.2.
Probate or administration in case of Hindus, Muhammadans, Buddhists and persons exempted from operation of Act 10, 1865, to be granted only under Act 5, 1881	„ s.150.
General definitions	Act10,1865,s.3(am.Act13, 1875,s.1). Act5,1881,section3.

2. Grant of Probates and Letters of Administration.

Legal position of executor or administrator	Act10,1865,s.179. Act5,1881,s.4.
Grant of administration with copy annexed of authenticated copy of will proved abroad	Act10,1865,s.180. Act5,1881,s.5.
Probate to whom granted	Act10,1865,ss.181to185. Act5,1881,ss.6to10.
Accrual of representation to surviving executor	Act10,1865,s.186. Act5,1881,s.11.
Probate or letters of administration required to establish right of executor, legatee, etc.	Act10,1865,ss.187,190.
Effect of probate and letters of administration	Act10,1865,ss.188,191, 192,242(am.Act13, 1875,s.2),260. Act5,1881,ss.12,14,15,59 (am.Act12,1891),82.
Meaning of "High Court" in Act 10, 1865, s. 242	Act2,1877.
Renunciation by executor	Act10,1865,ss.193to195. Act5,1881,ss.16to18.
Letters of administration to whom granted	Act10,1865,ss.189,195to 207. Act5,1881,ss.13,18to23.
Grants limited in duration	Act10,1865,ss.208to211. Act5,1881,ss.24to27.
„ for use and benefit of others having right	Act10,1865,ss.212to218. Act5,1881,ss.28to34.

ADMINISTRATION OF ESTATES (INDIAN LAW)—*cont.*

2. Grant of Probates and Letters of Administration—*cont.*

Grants for special purposes - - - - - Act10,1865,ss.219to225. Act5,1881,ss.35to41.

„ with exception ; grants of the rest - - - - Act10,1865,ss.226to228. Act5,1881,ss.42to44.

„ of effects unadministered - - - - - Act10,1865,ss.229to231. Act5,1881,ss.45to47.

Practice in granting probates and letters of administration :

District Judge to have jurisdiction - - - - Act10,1865,s.235. Act5,1881,s.51.

Power to appoint District Delegates for non-contentious cases - Act10,1865,s.235A(ad. Act6,1881,s.2). Act5,1881,section52.

Powers and procedure of District Judge as to grants - - Act10,1865,ss.236to238, 240,261. Act5,1881,ss.53to57,83 (am.Act12, 1891).

When and how District Judge to interfere for protection of property pending grant - - - - - - Act10,1865,s.239.

Powers of District Delegate as to grants and reference to District Judge - - - - - - - - Act10,1865,ss.241A(ad. Act6,1881,s.3),253A, 253B,253C(ad.Act 6,1881,s.7). Act5,1881,ss.58,73to75.

Transmission to other Courts of certificate by High Court making grant - - - - - - - - Act10,1865,s.242A(ins. Act13,1875, s.3). Act5,1881,section60.

Petitions for grant - - - - - - - Act10,1865,ss.243to246 (am.Act6,1881,ss. 4,9;Act6,1889,s.3), 246A(ins.Act13, 1875,s.4),247to 249. Act5,1881,ss.61to68.

Meaning of "High Court" in Act 10, 1865, ss. 242A and 246A- Act2,1877.

Examination of petitioner, etc.; publication of citation - - Act10,1865,s.250(am.Act 6,1881,s.9). Act5,1881,section69.

Caveats - - - - - - - - - - Act10,1865,ss.251to253 (am.Act6,1881, ss.5,6). Act5,1881,ss.70to72.

Form of grant - - - - - - - - - Act10,1865,ss.254,255 (am.Act6,1881, ss.4,5,8,9). Act5,1881,ss.76,77(am. Act6,1889,ss.12, 13).

ADMINISTRATION OF ESTATES (INDIAN LAW)—*cont.*

2. Grant of Probates and Letters of Administration—*cont.*

Practice in granting probates and letters of administration—*cont.* :

Administration bond	Act10,1865,s.256(am. Act6,1889,s.6), s.257. Act5,1881,ss.78,79.
Time for grant	Act10,1865,s.258. Act5,1881,s.80.
Filing of original wills	Act10,1865,s.259(am. Act6,1881, s.9). Act5,1881,s.81.
Power to refuse letters of administration	Act5,1881,s.85.
Appeals from orders of District Judge	Act10,1865,s.263. Act5,1881,s.86.
Concurrent jurisdiction of High Court	Act10,1865,s.264. Act5,1881,s.87.
Alteration and revocation of grants	Act10,1865,ss.232to234 (am.Act6,1889,s.2), s.262,s.333(ad.Act 6,1889,s.10). Act5,1881,ss.48to50(am. Act6,1889,s.11),s.84, s.157(ad.Act6,1889, s.17).

3. Rights, Powers and Liabilities of Executors and Administrators.

Executors of their own wrong; definition and liabilities of	Act10,1865,ss.265,266.
General powers of executors and administrators	„ ss.267to275. Act5,1881,ss.88,89,90 (am.Act6,1889,s.14), 91to96. Act6,1889,section19.
„ duties „ „ „	Act10,1865,ss.276,277 (am.Act6,1889,s.7), 277A(ins.Act13, 1875,s.5;am.Act6, 1889,s.8),278to282, 283(am.Act6,1889, s.9),284to291. Act5,1881,ss.97to99(am. Act6,1889,ss.15,16), 100to111.
Executor's assent to a legacy	Act10,1865,ss.292to297. Act5,1881,ss.112to117, 148.
Payment and apportionment of annuities	Act10,1865,ss.298to300. Act5,1881,ss.118to120, 148.

ADMINISTRATION OF ESTATES (INDIAN LAW)—*cont.*

3. Rights, Powers and Liabilities of Executors and Administrators—*cont.*

Investment of funds to provide for legacies	Act10,1865,ss.301to308 (am.Act6,1881,s.8). Act5,1881,ss.121to127, 148.
Produce and interest of legacies	Act10,1865,ss.309to315. Act5,1881,ss.128to134.
Refunding of legacies	Act10,1865,ss.316to320 (pt.rep.Act15,1877), 321to325. Act5,1881,ss.135to144, 148.
Residue to be paid to residuary legatee	Act10,1865,s.326. Act5,1881,ss.145,148.
Transfer of assets from British India to executor or administrator in country of domicile for distribution	Act10,1865,s.326A(ins. Act2,1890,s.9). Act5,1881,ss.145A(ins. Act2,1890,s.16),148.
Liability of executor or administrator for devastation, etc.	Act10,1865,ss.327,328. Act5,1881,ss.146,147.
Action by or against executor or administrator in respect of wrong done during life of deceased occasioning pecuniary loss to his estate or for which he would have been liable to an action	Act12,1855(pt.rep.Act9, 1871).
Procedure in suit by or against executor or administrator. *See* CIVIL PROCEDURE, 4.	
Collection and refund of court-fees. *See* COURT-FEES, 3.	

4. Wrongful possession of property of deceased.

Summary suit on complaint against wrongful possession	Act19,1841,ss.1to4,18.
Curator; appointment, powers, remuneration, etc., of	„ ss.5to13.
„ public; powers to appoint	„ s.19.
„ cessation of powers of, on grant of certificate to collect debts, etc.	Act7,1889,s.23.
Limitations on operation of Act 19, 1841	Act19,1841,ss.14to16.
Saving of right to bring regular suit	„ s.17.

5. Collection of Debts on succession.

(a) Preliminary.

Act 7, 1889, extends to whole of British India, including Upper Burma (except the Shan States)	Act7,1889,s.1(*3*).
Definitions	„ s.3.

(b) Certificate to collect debts.

Grant of certificate by Court	„ ss.5to8.
Certificate not to be granted under Act with respect to debt to which right can be established by probate or letters of administration	„ s.1(*4*).
Requisition of security from grantee of certificate	„ s.9.
Extension of certificate to other debts, and amendment of certificate	„ ss.10,12.
Form of certificate	„ s.11,Sch.II.
Court-fee on certificate	„ ss.13,14.
Local extent and effect of certificate	„ ss.15to17.
Revocation of certificate	„ s.18.

ADMINISTRATION OF ESTATES (INDIAN LAW)—*cont.*

5. Collection of Debts on succession—*cont.*

(*b*) *Certificate to collect debts*—cont.

Appeal from order granting, etc., certificate - - - - Act7,1889,sec.19.
Effect on certificate of previous certificate or of probate or letters of administration - - - - - - - - ,, ss.20,21.
Validation of certain payments made in good faith to holder of invalid certificate - - - - - - - ,, s.22.
Surrender of superseded and invalid certificates - - - ,, s.27.

(*c*) *Miscellaneous.*

Investiture of inferior Courts with jurisdiction of District Court - ,, s.26.
Act 7, 1889, not to bar suits, etc. - - - - - - ,, s.25.
Proof of representative title a condition precedent to recovery through Court of debts from debtors of deceased persons - - - ,, s.4.
Validation of probates and letters of administration granted by High Courts or Recorder of Rangoon for purpose of collecting debts, etc. - - - - - - - ,, s.24.

6. Special and Local.

Administration of estates of military men. *See* ARMY, 6 (*e*) (2).
,, ,, by official administrator. *See* ADMINISTRATOR GENERAL.
Payment of deposits in Government Savings Bank belonging to estate of deceased person. *See* BANK, 2.
Payment out of Provident Fund to representative of deceased person. *See* PROVIDENT FUND.

(*a*) *Ajmere, Assam*[1], *Bengal, Lower Burma, Central Provinces, N.-W. Provinces.*

Executors of Hindus, Muhammadans, etc., to take charge of estate without interference by Courts - - - - - - (As.[1],Ben.,N.-W.P.) Ben.Reg.5,1799,s.2.
S. 2 of Ben. Reg., 5, 1799 repealed so far as relates to executors of persons who are not Muhammadans, but are subject to jurisdiction of District Courts in Bengal or Assam - - - - Act21,1870,s.4.
Heirs of Hindus, Muhammadans, etc., dying intestate not bound to apply to Court for permission to take possession of estate - - (As.[1],Ben.,N.-W.P.) Ben.Reg.5,1799,s.3.
Reference to Court when succession disputed between several claimants - - - - - - - - - (Aj.,As.[1],Ben.,C.P.,N.-W.P.)Ben.Reg.5,1799,s.4.
So much of ss. 2 and 3 of Ben. Reg. 5, 1799, as restricts the interference of Civil Courts in cases of inheritance by minors, repealed - Act40,1858.
When Court may appoint administrator; security to be given by him - - - - - - - - (Aj.,As.[1],Ben.,L.B.,C.P.,N.-W.P.)Ben.Reg.5, 1799,ss.5,6.
Management of estate through Collector of District, when action taken under Ben. Reg. 5, 1799, ss. 5, 6 - - - - (Aj.,As.[1],Ben.,C.P.,N.-W.P.)Ben.Reg.5,1827.
"Local Government" substituted for "Board of Revenue" in Ben. Reg. 5, 1827, s. 3 - - - - - - - - (Aj.)Reg.3,1877,section3, Sch.II. (C.P.)Act20,1875,s.3,Sch.
District Judge to interfere for protection of property of intestate when there is no claimant - - - - - - - - (As.[1],Ben.,L.B.,N.-W.P.)Ben.Reg.5,1799,s.7.

[1] Ben. Regs. 5, 1799, and 5, 1827, have been declared, by notification under the Scheduled Districts Act, 1874, to be in force in parts of Assam.

ADMINISTRATION OF ESTATES (INDIAN LAW)—*cont.*

6. Special and Local—*cont.*

(*a*) *Ajmere, Assam*[1], *Bengal, Lower Burma, Central Provinces, N.-W. Provinces*—cont.

"Local Government" substituted for "Governor General in Council" in Ben. Reg. 5, 1799, s. 7	(L.B.)Act11,1889,s.99(*2*). (N.-W.P.)Act19,1886, s.2,Sch.
Ben. Reg. 5, 1799, not to affect jurisdiction of Court of Wards	(As.[1],Ben.,N.-W.P.) Ben.Reg.5,1799,s.8.
Transfer to Subordinate Judge or Munsif of proceedings under Ben. Reg. 5, 1799, Act 10, 1865, or Act 5, 1881	(As.,Ben.,N.-W.P.)Act12, 1887,s.23.
Validation of grants of probate or administration made in Lower Burma	Act5,1881,s.155.

(*b*) *Bombay Presidency.*

Heirs, executors or legal administrators may assume management of estate, without applying to Court	Bom.Reg.8,1827,section1.
Procedure where heir, etc., applies for recognition by Court; grant of certificate by Court	„ ss.2(*1*),3to5, App.A,B.
Powers and liabilities of heir, etc., holding certificate	„ s.7.
Right to institute suit if certificate refused	„ s.8.
District Judge to interfere for protection of property where no claimant, etc.; appointment of administrator, and security to be given by him	„ ss.9to11, App.C.
Act 5, 1881, s. 98, and certain sections of Act 7, 1889, to apply to certificates granted under Bom. Reg. 8, 1827	Act7,1889,s.28.
Grant of probate or administration under Act 5, 1881, supersedes certificate granted under Bom. Reg. 8, 1827	Act5,1881,s.152.

(*c*) *Madras Presidency.*

Executors of Muhammadans, etc., to take charge of estate without interference by Courts	Mad.Reg.3,1802,s.16(*2*).
Mad. Reg. 3, 1802, s. 16(2), repealed, so far as it applied to Hindus	Mad.Reg.5,1829,s.2.
Heirs of Hindus, Muhammadans, etc., not bound to apply to Court for permission to take possession of estate	Mad.Reg.3,1802,s.16(*3*). Mad.Reg.5,1829,s.3.
Reference to Court when succession disputed between several claimants	Mad.Reg.3,1802,s.16(*4*). Mad.Reg.5,1829,s.3.
When Court may appoint administrator; administration when to cease; security to be given by administrator	Mad.Reg.3,1802,s.16(*5*), (*6*). Mad.Reg.5,1829,s.3.
District Judge to interfere for protection of property when there is no claimant	Mad.Reg.3,1802,s.16(*7*). Mad.Reg.5,1829,s.3.

(*d*) *Cases governed by English law.*

Acts 27 and 28, 1866, apply only to cases to which English law is applicable	Act27,1866,s.3. Act28,1866,s.45.
Power of High Court to make order for disposal of stock, etc., held by executor or administrator who—	
is of unsound mind	Act27,1866,ss.7,20.
is out of jurisdiction or cannot be found, etc.	„ s.24.

[1] Ben. Regs. 5, 1799, and 5, 1827, have been declared, by notification under the Scheduled Districts Act, 1874, to be in force in parts of Assam.

ADMINISTRATION OF ESTATES (INDIAN LAW)—*cont.*

6. Special and Local—*cont.*

(*d*) *Cases governed by English Law*—cont.

Effect of such order	Act27,1866,ss.25to29.
Power of High Court to direct how right to transfer stock, etc., vested under Act shall be exercised	,, s.34.
Power of High Court to make order as to costs under Act	,, s.43.
Stamp duty on orders made under Act	,, s.48.
Power of High Court to postpone making order under Act until petitioner's right declared in suit	,, s.51.
Indemnity to persons obeying orders made under Act	,, s.52.
Order under Act to have force of decree	,, s.53.
Power of executor to raise money by sale, notwithstanding want of express power in will	Act28,1866,ss.25to28.
Power of executor to compound, etc.	,, s.38.
Power of executor or administrator to distribute residue of estate— after making payments due in respect of lease or other conveyance and setting apart fund to answer future claims	,, ss.40,41.
after expiry of time notified by him for receipt of claims	,, s.42.
Right of executor or administrator to apply to High Court for advice	,, s.43.

(*e*) *Powers of Police in Presidency-towns.*

Delivery by police in Presidency-towns, to person entitled, of moveable property of intestate worth less than Rs. 200. *See* POLICE, I, D, 3; G, 3; J, 3.

Above provisions not affected by Administrator General's Act — Act2,1874,s.66.

ADMINISTRATOR GENERAL'S ACT — 1874 — Act2,1874. 1881 — Act9,1881.

ADMINISTRATOR GENERAL.

1864. Act 17, s. 6 (Official Trustee).
1870. Act 21, s. 5 (Wills of Hindus).
1872. Act 5, s. 2 } (Jurisdiction in Sindh).
,, Act 20 }
,, Reg. 3, s. 3 Laws, Santhal Parganas).
1874. Act 2 (Administrator General).
,, Reg. 9, s. 3 (Laws, Arakan Hills).
1877. Act 3, s. 88 (Registration).
1879. Act 1, s. 5, Sch. I, Art. 60 (*c*) (Stamps).
,, Act 3, ss. 3, 5 (Destruction of Records).
1881. Act 5, s. 149 (Probate and Administration).
,, Act 9 (Administrator General).
1882. Act 2, s. 50 (Trusts).
,, Act 6, s. 144 (Companies).
1890. Act 2 (Administrator General).
,, Reg. 1, s. 3 (Laws, British Baluchistan).
1893. 56-7 V. c. 5, ss. 14, 19, 23 (Regimental Debts).
1894. Reg. 1, s. 3 (Laws, Angul).

1. Preliminary.
2. The Office of Administrator General.
3. Rights, Powers and Duties.
4. Commission of Administrator General.
5. Accounts and Schedules.
6. Miscellaneous.

1. Preliminary.

Act 2, 1874, extends to whole of British India and, as regards British subjects, to Native States — Act2,1874,s.1.

,, ,, declared in force in—

the Santhál Parganas — Reg.3,1872,s.3(am.Reg. 3, 1886).

the Arakan Hill District — Reg.9,1874,s.3.

ADMINISTRATOR GENERAL—*cont.*

1. Preliminary—*cont.*

Act 2, 1874, declared in force in—*cont.*
British Baluchistan - - - - - - Reg.1,1890,s.3.
Angul and the Khondmals - - - - - Reg.1,1894,s.3.

2. The Office of Administrator General.

Administrator General to be appointed for each of the Presidencies of Bengal, Madras and Bombay - - - - - - Act 2, 1874, section 4.
Definitions of "Presidency of Bengal," "Presidency of Madras" and "Presidency of Bombay" - - - - - - „ s.3(am.Act2, 1890,s.10).
Power to divide Presidency of Bengal into Provinces and appoint an Administrator General for each; consequences to ensue thereupon - „ s.68(ad.Act2, 1890,s.15).
Saving of Administrator General's jurisdiction in Sindh - - Act5,1872,s.2(ad.Act20, 1872,s.1;am.Act 12,1891).
Administrator General; Government to appoint, suspend or remove - Act2,1874,s.5.
„ „ to be a barrister - - - - - „ s.6.
„ „ not an officer of High Court - - - - „ s.7.
„ „ may hold office of Official Trustee - - Act17,1864,s.6. Act2,1874,s.9.
„ „ of Bengal may hold office of Receiver of High Court - - - - - - „ s.9.
„ „ not to hold other office without sanction of Government - - - - - „ s.9.
„ „ restriction on trading by - - - „ s.10.
„ „ security to be given by, to Government - „ s.11.
„ „ no security or oath to be given by, to Court - „ s.12.
Appointment of Officiating Administrator General; his position - „ s.13.
Rights, duties and privileges of Administrator General not affected by—.
Succession Act, 1865 - - - - - - - „ s.66.
Hindu Wills Act, 1870 - - - - - - Act21,1870,s.5.
Probate and Administration Act, 1881- - - - Act5,1881,s.149.
Companies Act, 1882 - - - - - - - Act2,1874,s.66. Act6,1882,s 144(*g*).

3. Rights, Powers and Duties.

(*a*) *Grant of Letters of Administration and Probate to Administrator General.*

Letters of Administration or Probate to be granted by High Court at Presidency-town - - - - - - - - Act 2, 1874, section14.
Administrator General entitled to Letters of Administration, or letters *ad colligenda bona*, in preference to certain other persons - „ s.15.
Letters of Administration and Probate to be granted *ex officio* - „ ss.29,30.
Administrator General may apply for Letters of Administration within one month from death - - - - - - „ s.23.
Effect and local extent of Probate or Letters of Administration - „ s.23A(ins.Act 9,1881,s.3).
Estates which Administrator General is bound to administer; temporary administration pending determination of right - - „ ss.16to18(am. Act9,1881,s.2), 19,20.
Administration of estates of military men - - - - „ ss.21,22,65. 56-7V.c.5,ss.14,19,26.

ADMINISTRATOR GENERAL—*cont.*

3. Rights, Powers and Duties—*cont.*

(*a*) *Grant of Letters of Administration and Probate to Administrator General*—cont.

Revocation of Letters of Administration: Letters deemed to have been voidable, not void; validation of payments made and acts done by Administrator General; payment of Administrator General's costs and commission	Act 2, 1874, sections 24 to 27.
Distribution of assets	,, s.28 (am. Act 9, 1881, s.4).
Transfer by private executor or administrator to Administrator General of interest under Probate or Letters of Administration; stamp-duty	,, s.31 (rep. in pt. Act 1, 1879). Act 1, 1879, s.5, Sch. I, Art. 60(*c*).
Appointment of Official Trustee as trustee of assets carried to separate accounts	Act 2, 1874, section 32.
Vesting of estates, etc., in successor of Administrator General	,, s.33.

(*b*) *Administration of assets not exceeding R1,000 in value.*

Administrator General may grant certificate of administration or may administer without obtaining Letters of Administration	,, ss.36 (am. Act 9, 1881, s.5), 37 (am. Act 2, 1890, s.11).
Proof of claimant's title and value of assets, before granting certificate	,, s.38 (am. Act 9, 1881, s.6).
Effect of certificate; fee for certificate	,, ss.39, 41.
When Administrator General may take out Letters of Administration after granting certificate	,, s.40.
Certificate-holder or Administrator General may transfer assets to executor or administrator in country of domicile for distribution.	,, s.41A (ins. Act 2, 1890, s.12).

(*c*) *Suits by and against Administrator General.*

To be brought in name of office; not to abate by death, resignation or removal	,, s.34.
Creditors' suits	,, s.35.

4. Commission of Administrator General.

Rate of, in case of property of military men	,, ss.21, 53. 56-7 V. c.5, s.14(5).
,, in case of temporary administration pending determination of right	Act 2, 1874, section 18.
,, in other cases	,, s.52.
,, on assets collected beyond Presidency	,, s.55A (ins. Act, 9, 1881, s.7).
,, power to reduce and again raise	,, s.55.
Commission what to cover; when payable	,, ss.54, 59.
Payment of, when Letters of Administration granted to Administrator General are revoked	,, s.27.
Prohibition in Trusts Act, 1882, against trustee charging for services does not apply to Administrator General	Act 2, 1882, s.50.
Commission or agency charges not to be charged by executor or administrator other than Administrator General	Act 2, 1874, section 56.
Expenses of Administrator General's establishment and office charges to be defrayed by him	,, s.42.

ADMINISTRATOR GENERAL—*cont.*

5. Accounts and Schedules.

Separate accounts to be kept for each estate, and to be open to inspection — Act 2, 1874, section 43.
Administrator General to furnish and publish half-yearly schedules and send copies to Government for transmission to Secretary of State; settlement and payment of costs — „ ss.44,48.
Power of Government to require additional accounts to be kept — „ s.57.
Appointment of auditors by Government — „ s.45.
Duties and powers of auditors; procedure when irregularities disclosed; payment of costs — „ ss.46to51.

6. Miscellaneous.

Punishment for making false statement in petition presented by Administrator General to Court — „ s.12.
„ „ giving false evidence — „ s.61.
„ „ neglecting to produce papers, etc., to auditor — „ s.47.
Power of Government to make rules for guidance of Administrator General — „ ss.57to59.
Administrator General to comply with requisitions by Government for returns and statements — „ s.67(ad.Act2, 1890,s.15).
Power of High Court to make rules for destruction, etc., of Administrator General's records; confirmation of rules by Government — Act3,1879,ss.3,5.
Order of Court to be equivalent to decree — Act 2, 1874, section 60.
Administrator General may examine persons on oath or affirmation — „ s.60A(ins.Act 9,1881,s.8).
Assets unclaimed for fifteen years to be transferred to Government; disposal of subsequent claims — „ ss.62,63.
District Judge to take charge of certain estates and report to Administrator General; Judge may pay certain claims out of assets — „ s.64(am.Act9, 1881,s.2;Act2, 1890,s.13).
Saving of power of Police in Presidency-towns to take charge of small estates — „ s.66.
Registration of documents executed by Administrator General in his official capacity — Act3,1877,s.88.
Payment of income-tax by Administrator General. *See* INCOME-TAX, 3.

ADMIRALTY COURTS. *See* COLONIAL COURT OF ADMIRALTY AND VICE-ADMIRALTY COURT.

ADMIRALTY JURISDICTION (INDIA) ACT, 1860.[1] [*See* CRIMINAL LAW (ENGLISH); SEA] — 23-4V.c.88.
ADMIRALTY OFFENCES (COLONIAL) ACT, 1849.[1] (*See* SEA) — 12-3V.c.96.
„ „ „ „ 1860.[1] (*See* SEA) — 23-4V.c.122.

ADULTERY. *See* CRIMINAL LAW (INDIAN), 19.

ADVOCATE. *See* LEGAL PRACTITIONER, 1, 4.
„ BURMA. *See* LEGAL PRACTITIONER, 5, 6.

ADVOCATE GENERAL.
Appointment of, by Crown — 21-2V.c.106,s.29.
Right of, to conduct prosecution — Act10,1882,s.495(am.Act 10,1886,s.13).

[1] This short title was given by 59 & 60 Vict. c. 14.

ADVOCATE GENERAL—*cont.*
Power of, to stay prosecution, etc. *See* CRIMINAL PROCEDURE (INDIAN), s (6).
Suits by, relating to public charities - Act14,1882,s.539(am.Act 7,1888,s.44).
Powers of, not affected by Charitable Endowments Act - Act6,1890,s.15.
AFFIDAVIT.
Interpretation of term, as including affirmation and declaration, etc. - 52-3V.c.10,s.11. ,, c.63,s.3.
Commissioners for oaths; appointment and powers of - ,, c.10,s.1. 54-5V.c.50,s.1.
Power of certain officers of Court to administer oaths and take affidavits - 52-3V.c.10,s.2.
Taking of oaths and affidavits out of England - ,, s.3.
Jurat to state where and when oath is taken - ,, s.5.
Penalties on perjury, forgery of seal or signature, etc.; trial of offences - ,, ss.7to9.
Power of Judge to order affidavit to be impounded - ,, s.10.
Taking of, by diplomatic and consular officers abroad - ,, s.6. 54-5V.c.50,s.2.
Appointment by Lord Chancellor of persons to take, on the high seas and abroad, in prize causes - 52-3V.c.10,s.4.
Indian law as to. *See* OATH AND AFFIRMATION.
AFFIRMATION. *See* OATH AND AFFIRMATION.
AGENCY.
Act 9, 1872 (the Indian Contract Act, 1872)—
extends to the whole of British India - Act9,1872,s.1.
declared in force in—
the Santhál Parganas - Reg.3,1872,s.3(am.Reg.3, 1886).
the Arakan Hill District - Reg.9,1874,s.3.
the Town of Mandalay - Act20,1886,s.6.
British Baluchistan - Reg.1,1890,s.3.
"Agent" and "principal" defined - Act 9, 1872, section 182.
Who may employ agent - ,, s.183.
,, ,, be agent - ,, s.184.
Consideration not necessary to create - ,, s.185.
Authority of agent:
May be express or implied - ,, ss.186,187.
Extent of - ,, ss.188,189.
Revocation and termination of - ,, ss.201to209.
Sub-agent:
Definition of - ,, s.191.
When agent cannot delegate - ,, s.190.
Representation of principal by - ,, s.192.
Responsibility of agent - ,, ss.192,193.
,, sub-agent - ,, s.192.
Termination of authority of - ,, s.210.
Relation between principal and person duly appointed by agent to act in business of agency; agent when not responsible - ,, ss.194,195.
Duty of agent to principal - ,, ss.211to214,218.
Rights of principal where agent deals on his own account in business of agency - ,, ss.215,216.

AGENCY—*cont.*

Remuneration of agent	Act 9, 1872,	sections 217, 219to221.
Agent's right of retainer out of sums received on principal's account	„	s.217.
„ lien on principal's property	„	s.221.
Duty of principal to agent	„	ss.222to225.
Effect of agency on contract with third persons	„	ss.226to237.
„ on agreement, of misrepresentation or fraud by agent	„	s.238.
Ratification of unauthorised acts	„	ss.196to200.

Payment of income-tax by agent. *See* INCOME-TAX, 3.

AGENTS OF FOREIGN SOVEREIGNS.

Judicial powers of. *See* CIVIL COURTS, VI, B.

AGRICULTURISTS RELIEF ACT (DEKKHAN) 1879. 1881. 1882. 1886. 1895. (*See* DEKKHAN AGRICULTURIST)		Act17,1879. Act23,1881. Act22,1882. Act23,1886. Act6,1895.
AGRICULTURISTS' LOANS ACT, 1884. [*See* LOAN (INDIAN LAW), B, 3]		Act12,1884.
AGROR VALLEY REGULATION, 1891		Reg.4,1891.

AGROR VALLEY.

Estate of Khan of Agror to be deemed to have been attached under Ben. Reg. 8, 1818, s. 9, on 1st August, 1888	Reg.4,1891,	section3.
Rights of Khan under record-of-rights of 1870 forfeited to Government	„	s.4.
Local Government to appoint officer to deal with such rights	„	s.5.
Such officer to determine how far such rights shall be retained by Government, restored to Khan or transferred to other persons; revision of his orders	„	ss.6,7.
Classification of waste-lands in, and record-of-rights therein	„	s.8.
Appointment and remuneration of headmen in	„	s.9.
Succession to Khanship to be determined by Local Government	„	s.10.
Exclusion of jurisdiction of Courts and Revenue-officers under Regulation	„	s.11.

AHMADABAD TALUQDARS. *See* INCUMBERED ESTATES, II.

AHMADNAGAR DISTRICT. *See* DEKKHAN, ETC., 1.

AJMERE.

1. Status and Laws.

Ajmere is a Schedule District	Act14,1874,s.1,Sch.I,Pt. IX. Act15,1874,s.2,Sch.VI, Pt.IX.	
Certain Bengal Regulations declared in force (with modifications), to the exclusion of others	Reg.3,1877,ss.2(*a*),3,Sch. II(pt.rep.Acts 10of1882and 13of1889and Reg 9,1893).	
Certain enactments and rules repealed	„	s.2(*b*),(*c*),(*d*), Sch.I.
Law to be administered	„	ss.4,5.

2. Pre-emption.

Definition	„	s.6.

AJMERE—*cont.*

2. Pre-emption—*cont.*

Presumption as to, and proof of, existence of right of	Reg.3,1877,sections7,8.
Exercise of right	„ ss.9to12.
Suit to enforce right	„ ss.13to15.

3. Criminal Law and Police.

Indian Penal Code applied to offences committed before 1st January, 1862	„ s.29.
Tracking offenders	„ ss.16to22.
Responsibility of landholders, farmers and villagers for prevention of crime and apprehension of offenders	„ ss.23,24.
Liability of villagers to make good loss sustained by robbery, etc.	„ s.25.
Registration of new cattle brought to village	„ s.26.
Recovery of money paid under award of Rajputana Court of Vakils on account of fine, blood-money, etc.	„ s.27.
„ „ fines	„ s.28.
Power of police to apprehend members of armed band	„ s.30.
„ to invest istimrardar, etc., with police powers	„ s.31.

4. Miscellaneous.

Restriction of claims under Muhammadan contracts of dower	„ s.32.
Limitation on amount of interest which may be decreed	„ s.33.
Power to restrict slaughter of animals and sale of meat	„ s.34.
Maintenance of prohibition of sale of flesh, shooting or killing of animals in religious place	„ s.35.
Recovery of revenue other than land-revenue	„ s.38.
Power to make rules for—	
watch and ward and conservancy and sanitation at fairs and assemblies, and taxes for those purposes	„ s.40(pt.rep.Act3, 1879,s.9).
custody of judicial records, and	
appointment, etc., of ministerial officers	
Rules: penalty for breach of; sanctioning and publication of	„ ss.41,42.

For further provisions enacted specially for Ajmere, see the appropriate heads.

ALIEN.

1700-1. 12-3 W. 3, c. 2, s. 3 (Holding offices of State).
1852. Act 30 (Naturalization).
1870. [1][2] 33-4 V. c. 14 (Naturalization).
„ [1] 33-4 V. c. 102 (Oath of Allegiance).
1872. [2] 35-6 V. c. 39 (Naturalization).
1874. Act 15, s. 3 (Laws Local Extent).
1874. Reg. 9, s. 3 (Laws, Arakan Hill District).
1886. Act 20, s. 6 (Laws, Upper Burma).
1894. 57-8 V. c. 60, s. 1 (Disqualification to own British ship).
1895. 58-9 V. c. 43 (Naturalization).

1. Status. **2. Naturalization, and Declaration of Alienage.**

1. Status.

Capacity as to acquisition and disposition of property	33-4V.c.14,s.2.
National status of married women and children	„ s.10. 58-9V.c.43.

[1] Collective title ("Naturalization Acts, 1870") given by 33 & 34 Vict. c. 102.
[2] Collective title ("Naturalization Acts, 1870 and 1872") given by 35 & 36 Vict. c. 39.

ALIEN—*cont.*

1. Status—*cont.*

Rights of married women to property previous to passing of Act of 1870 not affected thereby - - - - - - 35-6V.c.39,s.3.

Disqualification from holding offices of State - - - 12-3W.3,c.2,s.3.
33-4V.c.14,s.2.

„ to own British ship - - - - - „ s.14.
57-8V.c.60,s.1.

Alien not entitled to jury *de medietate linguæ* - - - 33-4V.c.14,s.5.

Domicile; retention of, for purpose of succession as to moveables. *See* DOMICILE.

Enlistment in army. *See* ARMY, 3.

Goods of deceased; grant of custody of, to consul. *See* ADMINISTRATION OF ESTATES (ENGLISH LAW).

Procedure in suit by alien. *See* CIVIL PROCEDURE, 4.

2. Naturalization, and Declaration of Alienage.

(a) Naturalization.

Certificate of, and rights of person obtaining certificate - - „ s.7.

„ re-admission of statutory alien to British nationality - „ s.8.

Effect of naturalization of parent on status of children - - „ s.10.
58-9V.c.43.
33-4V.c.14,ss.7,9.

Oath of allegiance; taking of, by person naturalized; form of, and regulations as to - - - - - - - „ c.102,s.1.
et 30,1852,ss.10,11, 13,Sch.

Saving of power of Crown to grant letters of denization - - 33-4V.c.14,s.13.

Power of British Possessions to legislate as to naturalization - - „ s.16.

Issue of certificate of naturalization by Local Government - - Act30,1852,ss.1to5,7,8.

(b) Declaration of Alienage.

Power of naturalized subject of foreign State to make declaration of alienage - - - - - - - - 33-4V.c.14,s.3.

Confirmation of declaration under convention with United States - 35-6V.c.39,s.2,Sch.

Declaration of alienage by British subject. *See* BRITISH SUBJECT, 2 (*a*).

(c) Supplemental.

Power of Secretary of State to make regulations as to—
certificates and declarations, and as to fees - - - 33-4V.c.14,s.11.
administration, etc., of oath of allegiance, and fees - - „ c.102,s.1.

Evidence of declarations, certificates and regulations - - „ c.14,s.12.

Penalty for false declaration - - - - - „ c.102,s.2.
Act30,1852,s.6.

Act 30, 1852, declared in force—
throughout British India, except as regards the Scheduled Districts - - - - - - - - Act15,1874,s.3.
in the Arakan Hill District - - - - - Reg.9,1874,s.3
in Upper Burma generally (except the Shan States) - - Act20,1886,s.6

ALLAHABAD UNIVERSITY. *See* UNIVERSITY, 1.

ALLUVION AND DILUVION REGULATION (BENGAL), 1825 [1] - Ben.Reg.11,1825.

[1] This short title was given by Act 5, 1897, s. 4.

ALLUVION AND DILUVION.
Ben. Reg. 11, 1825[1], declared in force—
throughout Bengal and the North-Western Provinces, except as regards the Scheduled Districts - - - - Act15,1874,ss.6,7.
in the Santhál Parganas - - - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
in the Punjab - - - - - - - Act4,1872,s.3.
in the Central Provinces - - - - - Act20,1875,s.3.
in Oudh (with modifications) - - - - - Act18,1876,s.3.
Act 9, 1847, declared in force—
throughout Bengal, except as regards the Scheduled Districts - Act15,1874,s.6.
in the Santhál Parganas - - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
Ben. Act4, 1868, declared in force in the Santhál Parganas - - Act5,1897,s.4.
Short title given to Ben. Reg. 11, 1825 - - - - Ben.Reg.11,1825,s.2.
Claims to alluvial land—
to be decided by local usage, when clearly established - - ,, ss.3,4(1).
how to be decided in absence of such usage, in case—
of lands gained by gradual accession - - - ,, ss.3,4(2).
of river suddenly changing its course and intersecting estate ,, ss.3,4(3).
of chars thrown up in navigable river or sea - - Ben.Act4,1868,ss.2to8
,, ,, in small shallow river - - - Ben.Reg.11,1825,ss.3,4(4).
not specially provided for - - - - - ,, ss.3,4(5).
allowance of, not to bar assessment to revenue or rent - - ,, s.4(1)(pt.rep. locally,Act8, 1885,s.2).
Ben. Reg. 11, 1825, not to authorise encroachments on bed or channel of navigable river or to prevent removal by Government of obstructions to navigation - - - - - ,, s.5(am.in O. Act18,1876, Sch.II).
Power to direct new survey of riparian lands - - - Act9,1847,ss.3,4.
Assessment, and alteration assessment, on account of:
Bengal - - *See* LAND-REVENUE, IV, 3 (*b*).
Bombay Presidency. ,, ,, VII, A, 3 (*a*), 4.
N.-W. Provinces, ,, ,, XV, 3.
Oudh - - ,, ,, XVI, 3.

AMERICANS.
Criminal proceedings against. *See* EUROPEANS AND AMERICANS.

AMINS. *See* CIVIL COURTS, III, 3.

AMMUNITION. *See* ARMS, AMMUNITION AND MILITARY STORES.

ANDAMAN AND NICOBAR ISLANDS REGULATION 1876 - - Reg.3,1876.
1884 - - Reg.1,1884.

ANDAMAN AND NICOBAR ISLANDS.

1. Preliminary.

Act14,1874,s.1,Sch.I,Pt. VIII(am.Act8, 1883).
Are a Scheduled District - - - - - Act15,1874,s.2,Sch.VI, Pt.VIII(am.Act 8,1883).

[1] Ben. Reg. 11, 1825, has also been declared in force in Assam (except the North Lushai Hills), by notification under the Scheduled Districts Act, 1874.

ANDAMAN AND NICOBAR ISLANDS—*cont.*

1. Preliminary—*cont.*

To what islands Reg. 3, 1876, extends		Reg.3,1876,sec.1(pt.rep Reg.1,1884).
Power to define limits of settlement	„	s.30.
Definitions	„	s.3.

2. Land.

All land vested in Queen	„	s.4.
Grant, etc., of licenses—		
to occupy land	„	ss.5to9.
to take produce of land	„	ss.10,32,34.
Recovery of Government dues	„	s.11.
Delegation of powers as to land	„	s.12.

3. Administration of Justice.

Modifications in Code of Criminal Procedure (Act 10, 1882)	„	s.13(am.Reg.1, 1884,s.3).
„ Code of Civil Procedure (Act 14, 1882)	„	s.14(am.Reg.1, 1884,s.4).

4. Arrival and Departure of Vessels.

Restrictions on landing of passengers or goods	„	ss.15,16(am.Reg. 1,1884,s.5),17, 17A(ins.Reg. 1,1884,s.6), 19,20.
Delivery of list of crew and passengers	„	ss.18,21.
Inspection of vessels	„	s.22.
Provisions for preventing escape of convicts	„	ss.23,24.
Search of vessels and seizure of opium, ganja and other hurtful or intoxicating drugs	„	s.25.

5. Miscellaneous.

License required by persons residing at settlement	„	ss.26,27.
Marriage of convicts	„	s.28.
Obligation to give information of convict's escape	„	s.29.
License required for dealings in liquor, intoxicating drugs, arms, weapons, dangerous cutting instruments, explosives or inflammable substances	„	ss.31,32,34.
Penalties and forfeiture	„	ss.32to34.
Recovery of fines	„	s.35(am.Reg.1, 1884,s.7).
Power to make rules	„	s.33.

ANGUL DISTRICT REGULATION, 1894 — Reg.1,1894.

ANGUL DISTRICT (ORISSA).

1. Preliminary.

Constitution of District	Reg.1,1894,s.2.
Definitions	„ s.10.

ANGUL DISTRICT (ORISSA)—*cont.*

2. Status and Laws.

Angul and the Khondmals are a Scheduled District	- -	Act14,1874,s.1,Sch.1,Pt. V(am.Act25,1881, s.4,Reg.1,1894. Act15,1874,s.2,Sch.VI, Pt.III.
What enactments to be in force in Angul and Khondmals	- -	Reg.1,1894,section3,Sch.
Power of Local Government to—		
withdraw enactments from Angul and Khondmals	- -	,, s.4.
extend enactments to Angul and Khondmals	- - -	,, s.5.
Power to construe enactments with necessary alterations	- -	,, s.6.

3. Courts.

Constitution of - - - - - - - -	,,	ss.11,12,16.
Control over - - - - - - - -	,,	ss.11,13,29,35.
Jurisdiction and powers of - - - - - -	,,	ss.12,14,17.

4. Administration of Justice.

Criminal Justice:		
Modifications in Code of Criminal Procedure - - -	,,	ss.16to29.
Such modifications not to affect the Code in its application to European British subjects - - - - -	,,	s.30.
Civil Justice:		
Law to be administered - - - - - -	,,	s.31.
Interest - - - - - - - -	,,	s.32.
Appeals - - - - - - - -	,,	s.34.
Revision - - - - - - - -	,,	s.35.

5. Recovery of Public Demands.

Certificate and notice of arrear - - - - -	,,	ss.36,37.
Mode of realization - - - - - - -	,,	ss.38,39.
Revision of proceedings by Deputy Commissioner and Superintendent - - - - - - - -	,,	s.40.
Register of proceedings - - - - - -	,,	s.41.

6. Village Chaukidars.

Constitution of villages - - - - - -	,,	s.43.
Appointment and dismissal of - - - - -	,,	ss.42,44.
Duties of - - - - - - - -	,,	s.47.
Punishment of; appeal and revision - - - - -	,,	ss.45,46,49.
Procedure on arrest by - - - - - -	,,	s.48.

7. Registration of Documents.

Appointment, etc., of Sub-Registrars and Registrar - - -	,,	ss.50,51.
Any document may be registered - - - - -	,,	s.52.
Power of Local Government—		
to direct compulsory registration - - - -	,,	s.52.
to cancel or vary notification under s. 52 - - -	,,	s.53.
to make rules - - - - - - -	,,	s.54.
Application of Act 3, 1877 (Registration), ss.81, 82 (offences) -	,,	s.54(4).

ANGUL DISTRICT (ORISSA)—*cont.*

3. Miscellaneous.

Power to define, etc., powers of officers	Reg.1,1894,	section 14.
Government presumed entitled to exclusive use and control of certain water	,,	s.33.
Power of Deputy Commissioner to require landholders, etc., to furnish information, etc., and to supply provisions and labour for marching troops and officials; appeal	,,	s.55.
Provisions as to auction sales	,,	s.56.
Control of agents and petition-writers	,,	s.57.
Power to grant exemption from court-fees	,,	s.58.
Administration of oath or solemn affirmation	,,	s.59.
Angul a general police-district; Superintendent to have powers of Inspector General of Police	,,	s.60.
Irregularities when not to vitiate proceedings	,,	s.7.
Indemnification for previous acts	,,	s.8.
Where sentences passed in Angul may be carried out	,,	s.9.

ANIMAL.

A.—DISEASES
1. British India generally.
2. Bengal.
3. Madras Presidency.

B.—TRESPASS
1. Generally.
2. Presidency-towns.

C.—MISCELLANEOUS ...

A.—DISEASES.

1. British India generally.

Act 20, 1879, extends to whole of British India	Act20,1879,	s.1(pt.rep. Acts24,1886, and15,1896).
Power to apply Act 20, 1879, to local areas by notification	,,	s.3.
Act 20, 1879, applies to horses, ponies, asses, mules and jennets affected with glanders or farcy	,,	s.2.
Inspectors; appointment, punishment and status of	,,	s.4.
,, search by, for diseased animals, and seizure and examination of same; detention or restoration to owner of animal seized	,,	ss.5to8(am.Act 15,1896,s.2).
Veterinary practitioner may be appointed to be both Inspector and Veterinary practitioner under Act	,,	s.15(ad.Act15, 1896,s.3).
Disinfection of stables, etc.	,,	s.9.
Information to be given when animal diseased	,,	s.10.
Segregation of diseased animals	,,	s.11.
Penalties	,,	ss.12,13.
Power of Local Government to make rules under Act 20, 1879	,,	s.14.
Power of Governor General in Council to make rules for cantonments as to segregation, removal, exclusion and destruction of animals suffering from infectious disease	Act13,1889,	s.26(22).
Railway Administration not bound to carry animal suffering from infectious or contagious disorder	Act9,1890,	s.54(3).

2. Bengal.

Ben. Act 8, 1880, extends to Calcutta and Suburbs	Ben.Act8,1880,	section 1.

ANIMAL—*cont.*

A.—DISEASES—*cont.*

2. Bengal—*cont.*

Ben. Act 8, 1880, may be extended by notification to any town or place - - - - - - - Ben.Act8,1880,section14.
„ „ „ applies to horses, ponies, asses, mules and jennets affected with glanders, farey or notified disease - „ .2.
Definitions - - - - - - - - - „ .2.
Information to be given when animal diseased - - - „ s.3.
Examination and treatment in hospital or destruction of diseased animal - - - - - - - - „ s.4.
Expenses of hospital to be first charge on surplus of fees levied on registration of hackney-carriages - - - - - „ s.6.
Entry and inspection of premises - - - - - „ ss.7,8.
Destruction of infected articles - - - - - „ s.7.
Disinfection of stables, etc. - - - - - - „ s.9.
Burial of glandered animals - - - - - - „ s.10.
Penalties - - - - - - - - , ss.3,7,11,12.
Reward to police-officer on conviction of offender - - - , s.13.
Power of Local Government to make rules as to establishment of hospital, etc. - - - - - - - - „ s.5.

3. Madras Presidency.

Mad. Act 2, 1866, to extend to areas notified - - - Mad.Act2,1866,section1.
„ „ „ applies to large animals generally - - „ s.2.
Definitions - - - - - - - - - „ s.2.
Hospital pounds; establishment, etc., of - - - - „ s 8(am.Mad. Act1,1879).
„ „ removal of diseased animals to - - - „ ss.5,6,7(am. Mad.Act1, 1879).
„ „ payment of cost of keeping animals in - - „ ss.9,11.
Notice to be given when animal diseased - - - - „ s.4.
Disinfection of stables, etc. - - - - - - „ ss.6,8(am.Mad. Act1,1879).
Entry and inspection of premises - - - - - „ s.7(am.Mad. Act1,1879).
Destruction of diseased animal and burial of carcase - - „ s.10(am.Mad. Act1,1879).
Segregation of diseased animals, otherwise than in hospital pound - „ s.12(am.Mad. Act1,1879).
Penalties - - - - - - - - - „ ss.14,15(am. Mad.Act1, 1879),18.
Complaints against wrongful seizure of animals - - - „ s.16.
Fund established under Act 1, 1871 (Cattle Trespass): fines to be credited to, and expenses met from - - - - „ s.17.
Power of Local Government to make bye-laws - - - „ s.18.

B.—TRESPASS.

1. Generally.

Act 1, 1871, extends to whole of British India except Presidency-towns and notified areas - - - - - - Act1,1871,s.1(am.Act1, 1891,s.1).

ANIMAL—*cont.*

B.—TRESPASS—*cont.*

1. Generally—*cont.*

Act 1, 1871, declared in force in—
the Santhál Parganas - Reg.3,1872,s.3(am.Reg.3, 1886).
the Arakan Hill District - Reg.9,1874,s.3.
Upper Burma generally (except the Shan States) - Act20,1886,s.6.
British Baluchistan - Reg.1,1890,s.3.
Angul and the Khondmals - Reg.1,1894,s.3.

Definitions - Act1,1871,sec.3(am.Act1, 1891,s.2).
Pounds; establishment of - „ s.4.
„ control of - „ s.5.
„ rates to be charged - „ s.5.
„ keepers of; appointment and status of - „ s.6.
„ „ to register seizures and furnish returns - „ ss.7,8.
„ „ to take charge of animals impounded - „ s.9.
„ when animals may be impounded - „ ss.10,11(am. Act1,1891, ss.3,4).
„ fines and charges for animals impounded - „ s.12(am.Act1, 1891,s.5).
„ delivery or sale of animals impounded - „ ss.13to16,19.
„ disposal of fines, etc. - „ ss.17,18.
„ complaints of illegal seizure or detention - „ ss.20to23(am. Act1,1891,s.6).
Penalties - „ ss.24to27)(ss. 25,26,am.Act1, 1891,ss.7,8).
„ application of - „ s.28.
Suits for compensation for damage done by animals - „ ss.29,30.
Power of Local Government to transfer certain functions under Act 1, 1871, to Local Authority and direct credit of surplus to Local Fund - „ s.31(ad.Act1, 1894,s.9).
(C.P.)Act1,1883,ss.9(*f*), 23(*1*)(*c*).
(N.andO.)Act14,1883, ss.24(*f*),38(*c*).
(Punjab)Act20,1883, s.20(*n*).

Fund established under Act 1, 1871: fines under Mad. Act 2, 1866 (Diseases of Animals), to be credited to, and expenses of working that Act to be met from - Mad.Act2,1866,s.17.

Trespass on railway - Act9,1890,s.125.
„ in forest. *See* FOREST, 1 (State forests in Ajmere), 6.
Power of police to take charge of stray animals - Bom.Act4,1890,s.56.

2. Presidency-towns.

Impounding of animals straying or trespassing - (Bo.)Act48,1860,s.28.
(Cal.)Ben.Act4,1866, s.71.
(Mad.)Mad.Act3,1888, s.60.

ANIMAL—*cont.*

B.—TRESPASS—*cont.*

2. Presidency-towns—*cont.*

Power to make rules to control straying and grazing of animals in Fort William - - - - - - - - - Act 13, 1881, s. 3, Sch. cl. (4) (f).

C.—MISCELLANEOUS.

Control over keeping of animals in municipalities:
Aj., L.B., C.P. *See* MUNICIPALITY, II, 6 (*p*), (*q*), (*t*).
As. „ „ IV, 6 (*m*), (*o*); V, 6 (*o*), (*q*).
Ben. Districts. „ „ V, 6 (*o*), (*q*).
Cal. „ „ VI, 6 (*q*).
Bom. Districts. „ „ VII, 6 (*p*), (*s*).
„ City. „ „ VIII, 6 (*o*), (*r*).
Mad. Districts. „ „ XII, 6 (*r*), (*v*).
„ City. „ „ XIII, 6 (*p*), (*s*).
N.-W. P. & Oudh. „ IX, 6.
Punjab. „ „ XIV, 6 (*p*), (*q*), (*t*).

See also CRUELTY TO ANIMALS; DOG; ELEPHANT; GAME; SLAUGHTER OF ANIMALS.

ANNOYANCE, CRIMINAL. *See* CRIMINAL LAW (INDIAN), 21.

ANNUITY. *See* SUCCESSION, 6.

APPEAL.

See CIVIL COURTS; CIVIL PROCEDURE, 7: COURT OF WARDS; CRIMINAL PROCEDURE (INDIAN), 10; JUDICIAL COMMITTEE, *and under other heads.*

APPELLATE JURISDICTION ACT, 1887. (*See* JUDICIAL COMMITTEE) - 50-1V. c. 70.

APPRENTICE.

Act 19, 1850, declared in force—
throughout British India, except as regards the Scheduled Districts - Act 15, 1874, s. 3.
in the Arakan Hill District - - - - - Reg. 9, 1874, s. 3.
in Upper Burma generally (except the Shan States) - - Act 20, 1886, s. 6.
Definitions - - - - - - - - - Act 19, 1850, section 25.
Apprenticing of child, orphan, vagrant, etc., by parent, guardian, Magistrate or manager of public charity - - - - „ ss. 1 to 4.
Apprenticing of youthful offender by authorities of Reformatory School - - - - - - - - - Act 8, 1897, ss. 22, 24.
Apprenticing boy to sea service. [*See also* MERCHANT SHIPPING, 2 (*b*)] Act 19, 1850, sections 5, 7, 10.
Contract of apprenticeship:
Form of - - - - - - - - - „ s. 3, Sch. A.
Execution of - - - - - - - - „ ss. 9, 10.
Deposit of, with Magistrate or Registrar of Shipping - Copies of, to be given, and to be evidence - - - „ s. 10.
Alteration or determination of, by consent - - - „ s. 11 (am. Act 12, 1891).
Determination or renewal of, on death of master - - „ ss. 19, 20.
Determination of, on insolvency of master - - - „ s. 22.
Cancellation of, for misconduct of apprentice - - - „ ss. 16, 17.
Assignment of apprentice to new master - - - - „ s. 12, Sch. B.
Complaints to Magistrate by apprentice against master - - „ s. 13.
„ „ by master against apprentice - - „ s. 15.
„ „ limitation of time for making - - „ s. 18.

APPRENTICE—*cont.*

Punishment of apprentice by master	Act 19, 1850, ss.13to15.
Apprentice entitled to three months' maintenance on death of master	" s.21.
What persons amenable to jurisdiction of Magistrates	" s.23.
Appeal from Magistrate to Court of Session ; limitation of appeal	" s.24.

ARAKAN HILLS.

1. Status, Law and Administration.

The Arakan Hills are a Scheduled District	Act14,1874,s.1,Sch.I,Pt. XI. Act15,1874,s.2,Sch.VI,Pt. XI.
Certain Acts and Bengal Regulations declared in force, to the exclusion of all others then on the Statute book	Reg.9,1874,ss.2,3,Sch.(pt. rep.Acts11of1878, 19 of 1881, 10 of 1882,11of1889,8 of1890,9of1894; am.Act11,1889, s.102).
Law to be administered	Reg.8,1874,section4.
Functions of High Court in miscellaneous matters to be discharged by Commissioner	Reg.9,1874,s.4(pt.rep.Act 11,1889).
Licenses to manufacture or deal in arms or ammunition not to be granted without express sanction of Local Government	" s.5(am.Act11, 1889,s.97).
Assessment and collection of revenue	" ss.10to14.
Boats : contents to be declared ; search ; seizure of spirit manufactured out of the district and opium, ganja, ammunition and arms not protected by pass ; penalties	" ss.15(am.Reg. 8,1893),16,17.
Recovery of fines imposed under Reg. 9, 1874	" s.18.

2. Civil Justice.

Definitions	Reg.8,1874,section1.
Courts : grades of ; powers of	" s.2. Reg.5,1876.
Commissioner to discharge functions of High Court	Reg.9,1874,s.4(pt.rep.Act 11,1889).
Res judicata and pending suits	Reg. 8, 1874, section3.
Appearances, applications and acts by parties, and consequences of non-appearance	" ss.5to8,24to30, 55,56.
Institution of suits	" ss.9to12.
Service of summons on defendants	" ss.13to23.
Fixing issues, preparations for hearing, and hearing	" ss.31to37.
Commissions to take evidence, make local enquiries and examine accounts	" s.38.
Judgment	" ss.39to46.
Special and miscellaneous provisions	" ss.47to53,54(am. Reg.2,1892), 57to59.
Execution of decrees	" ss.60to66.
Appeal and revision	" ss.67to76.
Power to make rules of practice	" s.78.

ARBITRATION.
General procedure for reference to. *See* CIVIL PROCEDURE, 6.
Special provisions for reference to :
In boundary disputes :
Bombay Presidency and Coorg - - - - Bom.Act5,1879, s.120.
Punjab - - - - - - - - Act17,1887,ss.127to135.
See also BOUNDARIES AND SURVEY-MARKS, 2, 3; SURVEY OF LAND, 1, 2.
Under Indian Companies Act, 1882 - - - - Act6,1882,ss.206to211.
Under Dekkhan Agriculturists' Act. *See* DEKKHAN AGRICULTURIST, 3.
Under Bengal Embankment Act - - - - Act32,1855,s.7.
Under Insolvency Act - - - - - - 11-2V.c.21,s.28.
In matters between landlord and tenant, North-Western Provinces - - - - - - - - Act12,1881,s.96A.
In matters relating to land-revenue :
Assam - - - - - - - - Reg.1,1886,s.143.
Bengal - - - - - - - - Ben.Reg.7,1822,ss.33,34. Ben.Reg.9,1833,ss.5to10.
North-Western Provinces - - - - Act19,1873,ss.220to231.
Oudh - - - - - - - - Act17,1876,ss.191to202 (am.Act20,1890,s.33).
Punjab - - - - - - - - Act17,1887,ss.127to135.
Under Municipal Act, Bombay Presidency. *See* MUNICIPALITY, VII, 7.
In partition cases - - - - - - Ben.Act8,1876,ss.64to 68,127.
Under Coorg Temple Funds Management Regulation - - Reg.4,1892,s.20.
ARCHDEACONS. *See* BISHOPS AND CLERGY.
ARMS ACT (INDIAN), 1878 - - - - - - Act11,1878.

ARMS, AMMUNITION AND MILITARY STORES.
1688. [1] 1 W. & M. sess. 2, c. 2 (Right to carry arms).
1854. Act 24 (War-knives, etc., Malabar).
1856. Act 13, s. 47 (Police, Bombay Town).
1872. Reg. 3, s. 3 (Laws, Santhál Parganas).
1874. Reg. 9, ss. 5, 16, 17 (Arakan Hills).
1876. Reg. 3, ss. 31, 32 (Andamans).
1878. Act 8, s. 88 (Sea Customs).
„ Act 11 (Arms, etc.).
1882. Act 10, s. 184 (Criminal Procedure).
1883. Reg. 1, s. 18 (10) (Rural Police, Assam).
1884. Act 4, s. 15 (Explosives).
1886. Act 20, s. 6 (Laws, Upper Burma).
1888. Mad. Act 3, s. 69 (Police, Madras City).
1889. Act 10, s. 27 (Ports).
1894. Act 8, ss. 3, 5, Sch. 2 (Tariff).

1. Preliminary.
2. Control.
3. Offences, Penalties and Procedure.
4. Miscellaneous and Local.

1. Preliminary.

Act 11, 1878, extends to whole of British India - - - Act11,1878,s.1.
„ „ declared in force in—
the Santhál Parganas - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
Upper Burma generally (except the Shan States) - Act20,1886,s.6.
Right of subjects to carry arms for defence - - - - 1W.&M.sess.2,c.2.[1]

[1] This Act is indexed because it is published in the Collection of Statutes relating to India.

ARMS, AMMUNITION AND MILITARY STORES—*cont.*

2. Control.

Prohibition of unlicensed manufacture, conversion or sale - - Act11,1878,s.5.
„ „ „ importation or exportation - - - „ s.6.
„ „ „ going armed - - - - „ s.13.
„ „ „ possession - - - - Act11,1878,ss.14(rep.in pt.Act12,1891),15.
„ „ „ importation, manufacture, barter, sale or possession of arms, cutting instruments or gunpowder, into or in Andamans; penalty - (And.)Reg.3,1876,ss.31, 32.
Power to regulate or prohibit transport of - - - - Act11,1878,s.10.
Exemptions from prohibitions:
Arms, ammunition and stores forming part of equipment of ship - „ s.1(*a*).
„ „ „ „ manufactured, possessed, etc., by order of Government or by public servant or volunteer in course of his duty - - „ s.1(*b*).
„ and ammunition possessed for private use and sold to person not prohibited from possessing same - - „ s.5.
Arms (except cannon) and ammunition imported or exported for private use by person lawfully entitled to possess same - „ s.6.
Power to exempt persons, arms, ammunition, or territory - „ s.27.
Licenses; grant of - - - - - - - „ s.17.
„ production of - - - - - - „ s.17(*f*).
„ suspension or cancellation of - - - - „ s.18.
Record or account; keeping and exhibition of, by licensee - - „ s.17(*e*).
Exhibition of stock of - - - - - - „ s.17(*e*).
Production of, on demand of Government officer - - - „ s.17(*f*).
Deposit at police-station of arms, etc., the possession of which has become unlawful; forfeiture of license not obtained in three years - „ s.16.
Notice to be given of sale of arms or ammunition to person not exempted from Act - - - - - - „ s.5.
Sanction of Local Government required to deposit of, in warehouse licensed under Sea Customs Act - - - - - „ s.7.
Establishment of searching-stations on British frontier - - „ s.11.
Power to direct census of fire-arms - - - - - „ s.32.
Customs duties on imports of, by sea, and imports by land from foreign territory; exemptions from duty - - - - Act8,1894,ss.3,5,Sch.2(am. Act3,1896).
Restrictions on sale of, under Sea Customs Act - - - Act8,1878,s.88.
Arms Act, 1878, not affected by Explosives Act, 1884; license under latter Act may be given effect of license under former Act - Act4,1884,s.15.

3. Offences, Penalties and Procedure.

Offences and penalties - - - - - - Act11,1878,ss.18,24,32. (And.)Reg.3,1876,s 32.
„ information to be given of - - - - - Act11,1878,s.28.
Confiscation of arms, etc., for offence - - - - „ s.24.
Penalty for discharging fire-arm in port or from pier, etc., otherwise than for making signal of distress, etc. - - - - Act10,1889,s.27.
Penalty for unlawfully going armed in public place - - - (Bo.Town)Act13,1856, s.47. (M.City)Mad.Act3,1888, s.69.

ARMS, AMMUNITION AND MILITARY STORES—*cont.*

3. Offences, Penalties and Procedure—*cont.*

Report of offences to be made by rural policemen	(As.)Reg.1,1883,s.18(*10*)
Offences triable in Presidency-town, wherever committed	Act10,1882,s.184.
Arrest and disposal of persons conveying arms, etc., under suspicious circumstances	Act11,1878,section12.
Disarming of person going armed without license or in contravention of license	„ s.13.
Entry, inspection, search, seizure and detention	„ ss.17(*d*),25, 26,30.
Prosecutions; certain, sanction required to	„ s.29.
„ under other law not barred, but only one punishment allowed	„ s.31.
„ notice and limitation of proceedings other than suits	„ s.33.

4. Miscellaneous and Local.

War-knives and similar weapons in Malabar district:	
Prohibition of use	(M.)Act24,1854,s.1.
Penalty for possessing, purchasing, selling or manufacturing; confiscation	„ s.2.
Search and seizure; confiscation; penalty for resisting search	„ s.3.
Licenses to manufacture or deal in arms or ammunition in Arakan Hills not to be granted without express sanction of Local Government	Reg.9,1874,s.5(am. Act11, 1882,s.97).
Seizure and confiscation of arms and ammunition in boat on river Kuladan which are not protected by pass; penalty on boatman	„ ss.16,17.

See also CHIN HILLS, 5; KACHIN HILLS, 5.

ARMY ACT		44-5V.c.58.
ARMY (ANNUAL) ACT	1882	45-6V.c.7.
	1883	46-7V.c.6.
	1884	47-8V.c.8.
	1885	48-9V.c.8.
	1886	49-50V.c.8.
	1887	50-1V.c.2.
	1888	51-2V.c.4.
	1889	52-3V.c.3.
	1890	53-4V.c.4.
	1891	54-5V.c.5.
	1892	55-6V.c.2.
	1893	56-7V.c.4.
	1894	57-8V.c.3.
	1895	58-9V.c.7.
	1896	59-60V.c.2.
ARMY PRIZE MONEY ACT, 1832[1]		2-3W.4,c.53.

ARMY.

1627. [2] 3 C. 1, c. 1 (Billeting).
1688. [2] 1 W. & M. sess. 2, c. 2 (Bill of Rights).
1809. 49 G. 3, c. 126 (Commissions).
1831-2. 2-3 W. 4, c. 53, ss. 2, 29 (Prize Money).
1834. 4-5 W. 4, c. 24, ss. 21, 25 (Half-pay, etc.).
1864. 27-8 V. c. 25, ss. 34, 35 (Prize Money).
1866. 29-30 V. c. 47 (Prize Money).
„ 29-30 V. c. 109, s. 88 (Discipline on board ship).
1867-8. 31-2 V. c. 38 (Indian Prize Money).

[1] This short title was given by 59 & 60 Vict. c. 14.
[2] These Acts are indexed because they are published in the Collection of Statutes relating to India.

ARMY—*cont.*

1874. 37-8 V. c. 61 (Indian Ordnance Corps).
1879. 42-3 V. c. 8 (Registration of Births, Deaths, and Marriages).
1881. 44-5 V. c. 57, s. 55 (Regulation of the Forces).
„ 44-5 V. c. 58 (Discipline and Regulation).
1882. 45-6 V. c. 7 (Annual).
1883. 46-7 V. c. 6 (Annual).
1884. 47-8 V. c. 8 (Annual).
1884-5. 48-9 V. c. 8 (Annual).
1886. 49-50 V. c. 8 (Annual).
1887. 50-1 V. c. 2 (Annual).
1888. 51-2 V. c. 4 (Annual).
1889. 52-3 V. c. 3 (Annual).
1890. 53-4 V. c. 4 (Annual)
1891. 54-5 V. c. 5 (Annual).
1892. 55-6 V. c. 23, s. 22 (Marriages).
„ 55-6 V. c. 2 (Annual).
1893. 56-7 V. c. 4 (Annual).
„ 56-7 V. c. 5 (Regimental Debts).
1894. 57-8 V. c. 3 (Annual).
„ 57-8 V. c. 45 (Uniform).
1895. 58-9 V. c. 7 (Annual).
1896. 59-60 V. c. 2 (Annual).

1. Maintenance and Command.
2. Commissions and Officers.
3. Enlistment and Service.
4. Discipline and Regulation.
5. Billeting and Impressment of Carriages, etc.
6. Pay, Pension, Booty and Prize Money, Decorations, and Effects.
7. Miscellaneous.

1. Maintenance and Command.

Maintenance of standing army within realm in time of peace, without consent of Parliament, illegal	1W.&M.sess.2,c.2.[1] 59-60V.c.2,preamble.
Necessity for maintenance of	„ „ „
Power of Crown to make regulations as to command and mode of exercise of command	44-5V.c.58,s.71.

2. Commissions and Officers.

Signature, etc., of commissions prepared under authority of sign manual	25-6V.c.4.
Proof of rank, status, appointments, corps, by Army List or Gazette	44-5V.c.58,s.163(*1*)(*d*).
Penalties for buying or selling, or negotiating purchase, etc., of commission, promotion, retirement, or exchange	49G.3,c.126. 44-5V.c.58,s.155.
Exchanges authorised by regulations exempt from penalty	„ s.155(*3*).
Compensation on retirement to officers who, on Nov. 1, 1871, served in Indian ordnance corps	37-8V.c.61.
Army Purchase Commrs.; appointment, powers, duties, and officers of	
Pay, half-pay, and pension. *See below*, 6.	
Privileges, exemptions, disqualifications. *See below*, 7 (*a*).	

3. Enlistment and Service.

Term and conditions of enlistment; change of conditions	44-5V.c.58,ss.76to78
Reckoning and forfeiture of service	„ ss.73,79,84, 161. 54-5V.c.5,s.4.
Mode of enlistment; oath of allegiance; date of attestation	44-5V.c.58,s.80. 55-6V.c.2,s.5.
Provision as to duplicate attestation papers	46-7V.c.6,s.5.
Power of recruit to purchase discharge	44-5 V. c.58, section 81.
Appointment to corps and transfers	„ ss.82,83,182(*2*). 58-9V.c.7,s.8.

[1] This Act is indexed because it is published in the Collection of Statutes relating to India.

ARMY—*cont.*

3. Enlistment and Service—*cont.*

Definition of corps	44-5V.c.58,s.190(*15*). 58-9V.c.7,s.8.
Re-engagement and continuance in service	44-5V.c.58,ss.84to86. 49-50V.c.8,s.6.
Prolongation of service or army service in certain cases	44-5V.c.58,s.87. 45-6V.c.7,s.4(*2*).
Continuance in army service in case of danger or emergency	44-5V.c.58,s.88. 48-9V.c.8,s.5.
Transfer to reserve	44-5V.c.58,ss.87(*2*),89,90. 45-6V.c.7,s.5. 54-5V.c.5,s.5.
Discharge; certificate of discharge	44-5V.c.58,ss.90,92,158. 45-6V.c.7,s.5. 51-2V.c.4,s.5.
Subjection to military law until discharge or transfer	44-5V.c.58,ss.90(*1*),(*3*),92.(*1*).
Sending of lunatic on discharge, with wife or child, to work-house or asylum	" s.91. 52-3V.c.3,s.5. 54-5V.c.5,s.6. 57-8V.c.3,s.5.
Disposal of effects on discharge on ground of insanity. *See below*, 6 (*e*) (2).	
Regulations of Secretary of State as to enlistment	44-5 V. c. 58, section 93.
What officers, magistrates, and others to have powers of justices as to enlistment	" s.94. 46-7V.c.6,s.6.
Enlistment of aliens and negroes	44-5 V. c. 58, section 95.
Claims to apprentices and indentured labourers	" ss.96,97,144(*2*), Sch.I.
Penalty on unlawful recruiting	" s.98.
False answers on attestation	" ss.33,99,163(*1*)(*a*).
Offences as to enlistment (*see below*, 4 (*b*))	" ss.32to34.
Proof of enlistment	" s.163(*1*)(*a*).
Validity of attestation or re-engagement after receipt of pay for three months	" s.100(*1*).
Person in pay deemed soldier; right to claim discharge	" s.100(*2*).
Examination of claim to discharge for want of or irregularity in attestation or re-engagement	" s.100(*3*).
Definition of competent military authority	" s.101(*1*).
"Reserve" means first class of army reserve	" s.101(*2*).
Provisions as to enlistment not applicable to Indian forces	" s.180(*2*)(*h*).
" " how far applicable to auxiliary forces	" s.181(*1*).

Pension on discharge. *See below*, 6.

In India. *See* INDIAN MILITARY AND NAVAL FORCES, III, 2.

4. Discipline and Regulation.

(*a*) *Definition and Application of Military Law.*

Army Act	44-5V.c.58.

ARMY—*cont.*

4. Discipline and Regulation—*cont.*

(*a*) *Definition and Application of Military Law*—cont.

Army Act how brought into and continued in force - - 44-5V.c.58,s.2. 59V.c.2,s.2.
„ „ division of, into parts - - - - - 44-5V.c.58,s.3.
„ „ printing amendments in copies of - - - - 45-6V.c.7,s.6. 46-7V.c.6,s.11. 47-8V.c.8,s.8. 48-9V.c.8,s.8.
Persons subject to military law—
as officers - - - - - - - - 44-5V.c.58,ss.175,190(*4*). 46-7V.c.6,s.9.
„ provisions as to persons accompanying forces on active service - - - - - - - 44-5V.c.58,s.175(*7,8*). 45-6V.c.7,s.4(*6*).
as soldiers - - - - - - - - 44-5V.c.58,ss.176,190(*5,6*).
„ provisions as to persons employed by or accompanying troops on active service - - - - „ s.176(*9,10*).
application of Army Act to, whether within or without Her Majesty's dominions - - 59V.c.2,s.2(*2*).
„ „ „ though number of men in service greater or less than specified in annual Act - - - „ s.2(*3*).
Volunteers, militia, etc., raised in India or colony, and serving with regulars - - - - - - - - 44-5 V. c. 58, section 177.
Auxiliary forces and pensioners - - - - - „ ss.178,190(*12*).
Modifications of Army Act in application to—
marines - - - - - - - - - „ ss.179,190(*8,15*).
Indian forces (*see also* INDIAN MILITARY AND NAVAL FORCES) „ ss.180,190.
auxiliary forces - - - - - - - - „ ss.178,181,190.
persons subject to military law while on board ship - - „ s.188.
persons not belonging to Her Majesty's forces - - - „ s.184.
Special provisions as to warrant officers not holding honorary commissions - - - - „ ss.180(*2*)(*g*), 182. 46-7V.c.6,s.10.
„ „ „ non-commissioned officers and army schoolmasters - - - „ 44-5V.c.58,ss.44(*6*),183. 54-5V.c.5,s.10.
Interpretation of term "active service" - - - - 44-5V.c.58,section 189(*1*).
Making forces in British Possession or out of Her Majesty's dominions subject to Army Act as if on active service, in certain cases - „ s.189(2to5).
Interpretation of terms "officer," "soldier," "regular forces," "corps," "battalion," etc. - - - - - „ s.190. 53-4V.c.4,s.9. 58-9V.c.7,ss.8,9.
Indian law. *See* INDIAN MILITARY AND NAVAL FORCES, III, 3 (*a*).

(*b*) *Offences punishable by Military Law.*

Offences in relation to the enemy punishable with death - - 44-5 V. c. 58, section 4.
„ „ „ not punishable with death - - „ s.5.
Enemy includes armed mutineers, rebels and rioters, and pirates - „ s.190(*20*).
Offences punishable more severely on active service than at other times - - - - - - - - - „ ss.6(*1*),189.
Misbehaviour of sentinel - - - - - - - „ s.6(*1*)(*k*).

ARMY—*cont.*

4. Discipline and Regulation—*cont.*

(*b*) *Offences punishable by Military Law*—cont.

Occasioning false alarms		44-5 V.c.58,s.6(*1*)(*h*),(*2*).
Disclosing watchword, etc.		„ s.6(*1*)(*i*),(*2*).
Mutiny, seducing from allegiance, etc., in regulars, reserves, auxiliary forces, or navy (*see also below*, 7 (*b*))		„ ss.7,158,161, 190.
Violence, disobedience, etc., to superior officer		„ ss.8,9,190(7).
Insubordination		„ s.10.
Neglect to obey general or garrison or other orders		„ s.11.
Desertion, attempt to desert, or persuading to desert (*see also below*, 7 (*b*))		„ ss.12,79,83(7), 158,161.
Assisting or conniving at desertion (*see also below*, 7 (*b*); *and* NAVY, 3 (*b*))		„ s.14.
Punishment for pretending to be a deserter. *See below*, 7 (*b*).		
Fraudulent enlistment—		
from regulars, or embodied militia, into regulars		„ ss.13,79,83(7), 138,158,161,190.
„ „ into militia, reserves not subject to military law, or navy		„ ss.13,79,83(7), 138,158, 161,190.
Absence without leave		„ ss.15,46.
Disposal of effects on desertion or absence without leave. *See below*, 6 (*e*) (2).		
Scandalous conduct of officer		„ s.16.
Embezzlement, etc., of public or regimental money or goods		„ s.17.
Malingering, maiming, stealing from comrade, etc., and other disgraceful conduct of soldier		„ s.18.
Drunkenness		„ ss.19,44(*5to10*), 46,183(*1*).
„ amendment of s. 46 of Act of 1881		46-7 V.c.6,s.4.
Offences as to prisoners		44-5 V.c.58,sections20,21.
Escape or attempted escape of prisoner		„ s.22.
Corrupt dealings in respect of supplies		„ s.23.
Soldier making away with or losing equipment or horse, wilfully injuring equipment, etc., or property, or ill-treating horse, etc.		„ ss.24,190(*17*, *18,40*). 56-7 V.c.4,s.4.
Offences as to reports or other documents		44-5 V.c.58,ss.25,26. 56-7 V.c.4,s.5.
Making false official declaration		44-5 V.c.58,section25(*3*).
False accusations or statements		„ s.27.
False statement of desertion or fraudulent enlistment, desertion from navy, etc. (*see also* NAVY, 5 (*b*))		„ s.27(*3*).
Offences in relation to courts-martial		„ s.28.
Summary imprisonment for contempt of court-martial		„ s.28.
False evidence before military tribunal		„ s.29.
Enlistment by soldier or sailor discharged or dismissed with disgrace from regulars, reserves, auxiliaries, or navy		„ s.32. 47-8 V.c.3,s.4. 56-7 V.c.4,s.6.
False answer on enlistment (*see also above*, 3)		44-5 V. c. 58, section33.
Being concerned in enlistment with knowledge that man enlisting commits an offence		„ s.34(*1*).

ARMY—*cont.*

4. Discipline and Regulation—*cont.*

(*b*) *Offences punishable by Military Law*—cont.

Contravention of enactments or regulations by recruiter	44-5 V.c.58, section 34(*2*).
Traitorous or disloyal words as to Sovereign	,, s.35.
Injurious disclosures	,, s.36.
Ill-treatment of soldier	,, s.37(*1*).
Detention of pay of officer or soldier	,, s.37(*2*).
Duelling, attempt to commit suicide	,, s.38.
Refusal to deliver to civil power officers, etc., accused of offences punishable by Civil Court (*see also below*, 7 (*b*))	,, s.39.
Conduct to prejudice of order and discipline	,, s.40.
Offences punishable by ordinary law	,, ss.41,49(*3*). 49-50V.c.8,s.4. 50-1V.c.2,s.4.

Trafficking in commissions. *See above*, 2.

Indian law. *See* INDIAN MILITARY AND NAVAL FORCES, III, 3 (*b*).

(*c*) *Offences punishable civilly, and Offences by persons not subject to Military Law.*

See above, 2, 3; *and below*, 6 (*b*), 7 (*b*).

Indian law. *See* CRIMINAL LAW (INDIAN), 4, 5; INDIAN MILITARY AND NAVAL FORCES, III, 3 (*d*).

(*d*) *Trial and Punishment of Offences.*

(1) *Arrest and Investigation.*

Placing offenders in custody, report, investigation of charges	44-5 V. c. 58, section 45.
Power to make rules as to investigation	,, s.70(*1*)(*i*).
Apprehension of deserters. *See below*, 7 (*b*).	

(2) *Powers of Commanding Officer.*

Power of commanding officer to dismiss charge	,, s.46(*1*).
Summary punishment of soldiers by commanding officer	,, ss.44(*7*),46,138(*4*), 182(1),183(*1*). 45-6V.c.7,s.4. 56-7V.c.4,s.7.
Right to require evidence to be taken on oath, and to demand Court-martial, except in case of minor punishments	44-5V.c.58,s.46(*6*). 56-7V.c.4,s.7(*3*).

(3) *Courts-martial.*

Warrants and authorities for convening and confirming general and district courts-martial	44-5V.c.58,ss.122,123,172.
Convening, constitution, and powers of regimental, general, district, and field general courts-martial	,, 47 to 50,182, 184(*1*). 56-7V.c.4,ss.8,9(*1*)to(*4*).
Challenges by prisoners	44-5 V. c. 58, section 51.
Power to make rules as to Courts	,, ss.55,70(*1*)(*b*).
Oaths or declarations of members, Judge advocate, officers in attendance, shorthand writers, witnesses	,, ss.52,190(*28*).
Courts governed by United Kingdom law only	,, s.127.
Summoning, privilege, etc., of witnesses	,, ss.52,125,190(*28*).
Rules of evidence the same as in English Civil Courts	,, s.128.
False evidence by military witness	,, s.29.

ARMY—*cont.*

4. Discipline and Regulation—*cont.*

(*d*) *Trial and Punishment of Offences*—cont.

(3) *Courts-martial*—cont.

False evidence by civilian	44-5V.c.58,s.126(*2*),180(*2*).
Misconduct as witness, or contempt, by person subject to military law	„	s.28.
„ „ „ by civilian	„	s.126.
„ „ „ „ in India	„	s.180(*1*).
Rules for conduct of counsel, contempt of Court, etc.	„	s.129.
	57-8V.c.3,s.6.
Dissolution, adjournment, view, voting, etc.	44-5 V. c. 58, section 53.
Power to make rules as to adjournment, etc., and procedure	„	ss.56,70(*1*)(*c*),(*d*).
Power to include several charges of desertion or fraudulent enlistment in one arraignment	„	ss.12(*2*),13(*2*).
Conviction of less offence on charge of greater	„	s.56.
Special finding, and proceedings, where prisoner insane	„	s.130.
Discharge on finding of acquittal on all charges	„	s.54(*3*).
Powers of Courts as to sentences	„	ss.41,44,47(*5*),48(*6,8*),49,55(*2*),137,138,182(*1,2*),183(*3*).
	55-6V.c.2,s.4.
	56-7V.c.4,s.9(*5*).
Recommendation to mercy	44-5 V. c. 58, section 53(*9*).
Finding of acquittal not subject to confirmation, etc.	„	s.54(*3*).
Confirmation, revision, and approval of findings and sentences other than findings of acquittal	„	ss.49(*3*),54,55(*2*),130(*4*),188.
	56-7V.c.4,s.9(*6*),(*7*).
Power to make rules as to confirmation and revision	44-5V.c.58,s.70(*1*)(*e*).
Abolition of summary courts-martial	56-7V.c.4,s.9(*8*).
Commutation, mitigation, remission, suspension, etc., of sentences	44-5V.c.58,ss.44(*10*),57,83(*7*).
	53-4V.c.4,s.5.
Power to commute imprisonment into summary punishment	48-9V.c.8,s.4.
„ „ punishment of death for murder	50-1V.c.2,s.5.
„ make rules enabling valid to be substituted for invalid sentence	49-50V.c.8,s.5.

(4) *Punishments; Execution of Sentences; Prisons.*

Powers of commanding officer as to punishments	44-5V.c.58,s.46.
	45-6V.c.7,s.4(*1*).
	56-7V.c.4,s.7.
Scale of punishments by court-martial	44-5V.c.58,ss.44,137,138.
	45-6V.c.7,s.4(*3*).
	55-6V.c.2,s.4.
Punishments for civil offences	44-5V.c.58,s.41.
	49-50V.c.8,s.4.
	50-1V.c.2,s.4.
Summary punishment, other than flogging, of soldier on active service for certain offences	44-5V.c.58,s.44(*5to10*).
Prohibition of inflicting punishments not authorized by Act, under authority derived from foreign ruler	47-8V.c.8,s.5.
Restriction on cumulative sentences of imprisonment	44-5V.c.58,s.68(*2*).

ARMY—*cont.*

4. Discipline and Regulation—*cont.*

(*d*) *Trial and Punishment of Offences*—cont.

(4) *Punishments; Execution of Sentences; Prisons*—cont.

Commencement of term of penal servitude or imprisonment - 44-5 V. c. 58, section 68(*1*).
Effect of sentence of penal servitude - - - - - „ s.58.
Execution of sentences by provost-marshal abroad - - „ s.74(*2*).
Execution of sentences of penal servitude passed in United Kingdom, India, etc.; transfer of military convicts to penal servitude prisons, etc. - - - - - - - - „ ss.58to62,68(*1*).
Execution of sentences of imprisonment in United Kingdom, India, colony, or abroad; confinement of prisoners in military custody or public prison; removal of prisoners; bringing up prisoner as witness, or for trial - - - - - - - - „ ss.63to68,131. 51-2V.c.4,s.4.
Transfer of prisoners sentenced to imprisonment exceeding one year, or to penal servitude, to United Kingdom, unless otherwise ordered, or belonging to excepted class - - - - 44-5 V. c. 58, section 131.
Obligation of governors of prisons, keepers of police stations, etc., to receive prisoners, deserters, etc., and soldiers in military custody „ ss.131(*1*),132.
Military prisons, establishment and regulation of - - - „ s.133.
„ „ corporal punishment for offences in - - „ s.133(*2*).
„ „ provisions as to duties of gaolers, medical officers, and coroners in - - - - - „ s.133(*2*).
Inquiry on death by violence or under suspicious circumstances in military prison in India - - - - - - - „ s.133(*3,4*).
Restrictions on confinement in prison other than military prison in India or colony - - - - - - - - „ s.134.
Rules by Secretary of State for classification and treatment of prisoners - - - - - - - - „ s.135. 52-3V.c.3,s.4.
Treatment of prisoners becoming insane - - - - 44-5V.c.58,section130(5).
Sentence not affected by offender ceasing to be subject to military law - - - - - - - - - „ s.158(*2*).
Power to make rules for execution of sentences, etc. - - „ s.70.
Order of Secretary of State as to imprisonment, etc., on production of proceedings or certified copy - - - - - „ s.165.
Provisions as to validity of orders - - - - - „ s.172. 46-7V.c.6,s.8.
Execution of sentence passed on board ship - - - 44-5 V. c. 58, section 188.
Commutation, etc., of sentences. *See above*, (3).

(5) *Miscellaneous Provisions as to Trial and Punishment.*

Subjection to military law until discharge or transfer to reserve - „ ss.90(*1,3*),92(*1*).
Trial, after ceasing to be subject to military law - - - „ s.158,161.
„ elsewhere than where offence committed - - - „ ss.159,160.
„ limitation of time for - - - - - „ ss.158(*1*),161.
Restrictions on trial by court-martial of offences punishable by ordinary law - - - - - - - „ s.41(*a*).
Acquittal or conviction by Civil Court a bar to trial by commanding officer or court-martial - - - - - - „ ss.46(*7*),162(*6*).
No second trial by military law - - - - - „ ss.46(*7*),157.
Regulations as to evidence - - - - - - „ s.163. 58-9V.c.7,s.6.
Certificate of acquittal or conviction by Civil Court - - 44-5V.c.58,s.164.

ARMY—*cont.*

4. Discipline and Regulation—*cont.*

(*d*) *Trial and Punishment of Offences*—cont.

(5) *Miscellaneous Provisions as to Trial and Punishment*—cont.

Proof of proceedings of court-martial	44-5 V. c. 58, section 165.
Preservation of proceedings of courts-martial; copies	,, s.124.
Trial and punishment of warrant officer not holding honorary commission	,, ss.182,190. 46-7V.c.6,s.10. 49-50V.c.8,s.8. 56-7V.c.4,s.10.
Reduction, etc., of non-commissioned officer	44-5V.c.58,ss.44(*m*),183, 190(*5,6*).
Sentences on and dismissal of army schoolmasters	,, s.183(*a*),(*b*).
Acting non-commissioned officers	,, s.183(*c*).
Command over and trial of persons not belonging to Her Majesty's forces	,, s.184.

Jurisdiction of Civil Courts. *See below*, 7 (*b*).
See also below, (*e*).

(*e*) *Miscellaneous Provisions as to Discipline and Regulation.*

Power to make Articles of War; restriction on liability to punishment under Articles	,, s.69.
Power to make rules for Courts of inquiry	,, s.70(*1*)(*a*).
Court of inquiry on absence of soldier	,, s.72.
Restitution of property or proceeds of property stolen, etc.	,, s.75.
Provost-marshal, appointment and powers of, abroad	,, s.74.
,, duty of, to receive prisoners	,, s.45(*7*).
,, impending or refusing to assist	,, s.6(*1*).
Redress of wrongs, complaint for, by officer	,, ss.42,180(*2*),(*d*).
,, ,, ,, by soldier	,, s.43.
,, ,, false statement or suppression on complaint for	,, s.27(*2*).
Extension of furlough in case of sickness	,, s.173.
,, ,, false statement in respect of	,, s.27(*4*).
Exercise of powers vested in holder of military office	,, s.171. 48-9V.c.8,s.6.
Provisions as to warrants and orders	44-5V.c.58,ss.163(*1*)(*e*), 172. 46-7V.c.6,s.8. 48-9V.c.8,s.7.
Trial of offences on board ship by regimental court-martial	44-5V.c.58,s.47.
Application, by Order in Council, of naval discipline to troops, including auxiliaries, on board ship in commission	29-30V.c.109,s.88. 44-5 V. c. 58, section 186.
Deductions from pay of soldier on board Her Majesty's ship, on sentence by or by award of commanding officer of ship	,, s.138.
Formation of "corps" out of associated battalions of regulars and auxiliaries, with or without permanent staff of auxiliaries	,, s.190(*15,16*).

Indian law. *See* INDIAN MILITARY AND NAVAL FORCES, III, 3 (*c*).

5. Billeting and Impressment of Carriages, Animals, etc.

(*a*) *Billeting.*

Billeting on any one without his consent illegal	3C.1,c.1.[1]

[1] This Act is indexed because it is published in the Collection of Statutes relating to India.

ARMY—*cont.*

5. Billeting and Impressment of Carriages, Animals, etc.—*cont.*

(*b*) *Impressment of carriages, animals, etc.*

See MARCHING TROOPS.

6. Pay, Pension, Booty and Prize Money, Decorations, and Effects.

(*a*) *Pay and Pension.*

(1) *Ordinary Pay.*

Payment without other than authorized deductions - - 44-5 V.c.58,s.136.; 58-9 V.c.7,s.4.

Deductions from pay of officer - - - - - 44-5 V.c.58,secs.44(*12*),137, 140.

Deductions from pay of soldier - - - - - „ ss.44(*12*),46(2)(*c*), 73,138,140,145.; 46-7 V.c.6,s.7.; 54-5 V.c.5,s.4.

Correction of error in s. 138 of Act of 1881 - - - 45-6 V.c.7,s.4(*3*).

Remission of deductions - - - - - - 44-5 V.c.58,s.139.

No execution against pay of soldier for debt - - - „ s.144.

(2) *Deferred Pay, Good Conduct Pay, Service towards Pension, etc.*

Forfeiture of, on conviction by court-martial, as provided by Royal warrant - - - - - - - - - 44-5 V.c.58,secs.44(*11*),190 (*19*).

Prohibition of assignment of or charge on deferred pay or military reward - - - - - - - - - „ s.141.

(3) *Half-Pay, Retired Pay, Pensions, and Allowances.*

Prohibition of assignment of or charge on pension allowance, etc., payable in respect of military service - - - - „ s.141.

Penalty on detention of pensioners' certificates - - - 54-5 V.c.5,s.9.

Half-pay or allowances not affected by Superannuation Acts - 4-5 W.4,c.24,s.21.

Separate estimates of half-pay and allowances - - - „ s.25.

Pensions of soldiers formerly in Indian forces - - - 44-5 V.c.57,s.55.

(4) *Supplemental Provisions.*

Administration of oaths on receipt of military rewards, pensions, and allowances - - - - - - - - 44-5 V. c. 58, section 142.

(*b*) *Offences in relation to Pay, etc.*

Military punishment for detaining pay - - - - „ ss.37(2),137.

False oath or declaration, or personation, as to military reward, pension or allowance, or payment of money or delivery of property in possession of military authorities - - - „ s.142.

(*c*) *Booty of War and Prize Money.*

Right of troops to such interest in booty as Her Majesty shall order 2-3 W.4,c.53,s.2.

Adjudication by prize courts as to prize taken in conjunct expeditions of land and naval forces - - - - - „ s.29.; 27-8 V.c.25,ss.34,35.

Payment to Chelsea Hospital, for distribution—

of grants for services in India, distributable elsewhere to persons not belonging to Indian forces - - - - 29-30 V.c.47,ss.1 to 4.

of share of army in prize taken in conjunct expedition - - 2-3 W.4,c.53,s.29.

Payment of shares of non-commissioned officers and soldiers - 29-30 V.c.47,s.5.

ARMY—*cont.*

6. Pay, Pension, Booty and Prize Money, Decorations, and Effects—*cont.*

(*c*) *Booty of War and Prize Money*—cont.

Payment and application of share of deceased officer, etc., if less than 100*l.*, without representation; payment to representative, if any; power to require representation to be taken out	29-30V.c.47,ss.6,7.
Stamp duty on orders; orders for less than 40*s.*, and receipts, exempt from duty	,, s.8.
Unclaimed shares of prize money belonging to Indian forces; payment of, to Secretary of State or Indian Government; application of; powers for recovery of	31-2V.c.38.

(*d*) *Decorations.*

Pawning, selling, wilfully injuring, etc.	44-5V.c.58,secs.24(*3,4*), 190(*18*).
Purchasing, etc.	,, ss.156,190(*18*).
Forfeiture, etc., of, on conviction by court-martial, as provided by Royal warrant	,, ss.44(*11*)(*19*), 180.
Disposal of, on death on service, desertion, etc. *See below*, (*e*) (2).	

(*e*) *Effects of Officers and Soldiers.*

(1) *Generally.*

Execution against effects of soldier other than pay, equipment, etc.	44-5V.c.58,secs.144,145.
,, ,, property of person, subject to military law, other than soldier	,, s.151. 51-2V.c.4,s.7.
Perjury, personation, etc., as to money or property in possession of military authorities. *See above*, (*b*).	

(2) *Disposal of, under Regimental Debts Act, 1893.*

Collection of effects of persons subject to military law	56-7V.c.5,section1.
Preferential charges on property	,, ss.2to6.
Disposal of surplus and residue	,, ss.7to10.
,, medals and decorations	,, s.11.
,, effects, etc., without representation in certain cases	,, ss.9,16.
,, effects, not money	,, s.12.
Restrictions on interposition of official administrator	,, ss.14,30.
Money remitted not to be assets in place where remitted to	,, s.15.
Exemption from duty where sum under 100*l.*	,, s.16.
Saving of rights of representative	,, s.19.
Creditor not entitled to take out representation	,, s.20.
Deposit in proper registry of original will or declaration of intestacy and inventory of application of property	,, s.21.
Collection and disposal of effects of army paymaster	,, s.22.
,, ,, ,, person deserting, absent without leave, claimed as apprentice, or convicted of felony	,, s.23.
,, ,, ,, insane	,, s.24.
Validity of payments, etc.; discharge of Secretary of State, etc.	,, ss.17,18.
Warrants and regulations	,, s.13.
Application of Act to all persons subject to military law	,, s.30.
,, ,, to India	,, ss.25to28.
No forfeiture under Act or regulations, on conviction by court-martial, save as provided by Royal warrant	44-5V.c.58,s.44(*11*). 57-8V.c.3,s.4.

ARMY—*cont.*

7. Miscellaneous.

(a) Privileges, Exemptions, and Disqualifications.

Exemption of soldiers from serving on juries - - - - 44-5V.c.58,section147.
„ officers and soldiers, prisoners under escort, etc., from tolls (*see also* TOLLS) - - - - - „ s.143(*1,3*).
„ soldiers from civil process, except for crime, etc., or debt exceeding 30*l.*; proof of amount of debt; proceedings - „ ss.144,180. 45-6V.c.7,s.4(*4*).
Licenses of canteens; grant, transfer, and renewal of - - 44-5 V. c. 58, section174.

(b) Civil Duties and Liabilities; Offences by Civilians.

Inducing to desert, concealing deserter, etc. - - - - - „ s.153.
Demanding, etc., tolls from soldiers, etc. - - - - „ ss.115(*5*),143(*3*).
Pretending to be a deserter - - - - - - „ s.152.
Apprehension of and dealings with deserters, suspected deserters, or persons confessing desertion - - - - - - - „ ss.154,163(*1*)(*i*), Sch.4. 47-8V.c.8,s.6.
Obligation of governors of prisons, keepers of police stations, etc., to receive prisoners, deserters, etc., and soldiers in military custody - 44-5V.c.58,ss.131(*1*),132.
Purchasing, etc., or soliciting or assisting soldier to sell, pawn, etc., to, or suspicious possession of, regimental necessaries, equipments, stores, horse, etc.; detaining certificates of military pensioners and members of army reserve; search warrants; examination of defendant, and wife or husband, as witness - - - „ s.156. 54-5V.c.5,s.9.
False oath or declaration, forgery or personation, in relation to pay, pension, etc., or money or property in hands of military authorities - - - - - - - - - 44-5 V. c. 58, section 142.
Liability of soldier to maintain wife, children, and bastards - - „ ss.138(*8*),145. 45-6V.c.7,s.4. 46-7V.c.6,s.7. 54-5V.c.5,s.7.
Saving of jurisdiction of Civil Courts over persons subject to military law - - - - - - - - 44-5V.c.58,ss.41(*b*),158(*1*), 162(*2*),180.
Refusing to deliver or obstructing apprehension of officer or soldier accused or convicted of civil offence; trial of offences committed out of United Kingdom (*see also above*, 4 (*b*)) - - - - „ ss.162(*3*to*5*),180.
Civil Court trying offender to have regard to military punishment already awarded - - - - - - „ s.162(*1*).
„ „ regulations as to evidence before - - - „ s.163. 58-9V.c.7,s.6.
„ „ certificate of conviction or acquittal by - - - 44-5 V. c. 58, section 164.
Proof of proceedings of court-martial - - - - - „ s.165.
Prosecution of offences, and recovery and application of fines, under Army Act, in India, etc. - - - - - - - „ ss.166to168 180,190.
Reduction of amount of fines in India or colony; declaration of equivalent in local currency - - - - - - - „ s.156(*8*),169, 190(*21,23*).
Protection of persons acting under Army Act; limitation of time for proceedings - - - - - - - - „ s.170. 57-8V.c.3,s.7.
Trafficking in commissions. *See above*, 2.
Wearing military uniform - - - - - - - 57-8V.c.45.

ARMY—*cont.*

7. **Miscellaneous**—*cont.*

(*c*) *Miscellaneous Provisions.*

Military savings banks: no liability to forfeiture under Act or regulations, on conviction by court-martial, save as provided by Royal warrant — 44-5V.c.58,s.44(*11*).

Marriages within lines of army abroad — 55-6V.c.23,s.22.

Transmission to Registrar-General of registers of or documents showing births, deaths, and marriages of officers, soldiers, and their families abroad; record of entries and evidence — 42-3V.c.8.

Use of recreation rooms for dancing or public entertainment without license — 52-3V.c.3,s.7.

Short title of Army Act — 53-4V.c.4,s.4.

See also INDIAN MILITARY AND NAVAL FORCES, III, 4.

ARREAR OF LAND-REVENUE.

See cross-references from COLLECTION OF LAND-REVENUE.

ARREST.

General provisions as to. *See* CRIMINAL PROCEDURE (INDIAN), 4, 5.

ART.

Copyright in paintings, drawings and photographs. *See* COPYRIGHT, 3, 5 (*a*).

ARTICLES OF WAR (INDIAN). } (*See* INDIAN MILITARY AND NAVAL FORCES, III). — Act5,1869.
„ „ AMENDMENT ACT (INDIAN), 1894. } — Act12,1894.

ASSAM.

Is a Scheduled District — Act14,1874,s.1,Sch.1, Pt.X. Act15,1874,s.2,Sch.VI, Pt.X.

Powers of Lieutenant-Governor and Board of Revenue under laws and regulations in force in, vested in Governor General in Council — Act8,1874,s.1,Sch. Act12,1874,s.1.

Power of Governor General in Council to delegate such powers to Chief Commissioner — Act8,1874,s.2,Sch. Act12,1874,s.2.

Operation of enactments in, and power to settle boundaries of, certain parts of frontier tracts and other districts. *See* FRONTIER, A, 1.

For further provisions enacted expressly for Assam, see the appropriate heads.

ASSAULT. *See* CRIMINAL LAW (INDIAN), 14 (*b*).

ASSESSMENT OF LAND-REVENUE.

In Ajmere. *See* LAND-REVENUE, II, 2.
„ Assam. „ „ III, A, 3 (*b*); B, 2 (*b*).
„ Bengal Districts. „ „ IV, 3 (*b*), (*c*).
„ Calcutta. „ „ V.
„ Bombay Presidency. „ „ VII, A, 3, 4; B; C, 3.
„ „ City. „ „ VIII, 3.
„ Lower Burma. „ „ IX, 2.
„ Upper Burma. „ „ X, 2.
„ Central Provinces. „ „ XI, 3 (*c*).

ASSESSMENT OF LAND-REVENUE—*cont.*

In Madras Districts.	*See* LAND-REVENUE,	XIII, 3 (*b*).	
„ „ City.	„	„	XIV.
„ N.-W. Provinces.	„	„	XV, 3.
„ Oudh.	„	„	XVI, 3.
„ Punjab.	„	„	XVII, 3.

ASSESSORS.

In criminal trials. *See* CRIMINAL PROCEDURE (INDIAN), 8 (6), 11, 12 (5).

ASSIGNMENT.

Of trusts, to be in writing and signed, or by Will; proviso as to trusts transferred by operation of law - - - -	29C.2,c.3,ss.8,9[1](rep. locally,Act2,1882).
Act 28, 1866, declared in force throughout British India, except as regards the Scheduled Districts - - -	Act15,1874,s.3.
„ „ applies only to cases to which English law is applicable	Act28,1866,s.45.
Power to make assignment of moveable property, term for years of immoveable property, or estate by *elegit*, to self and others -	„ s.30.

ASSISTANT COLLECTOR.

Bengal.	*See* LAND-REVENUE,	IV, 2.	
Bombay Presidency.	„	„	VII, A, 2.
„ City.	„	„	VIII, 2.
Madras Presidency.	„	„	XIII, 2.
N.-W. Provinces.	„	„	XV, 2.

ASYLUM.

For lepers. *See* LEPER.

For lunatics. *See* LUNATIC, 4.

ATTACHED ESTATES MANAGEMENT REGULATION (BENGAL), 1827.[2] [*See* ADMINISTRATION OF ESTATES, 6 (*a*)] - - - -	Ben.Reg.5,1827.

ATTACHMENT.

Not to be contrary to law - - - - - - -	5Ed.3,c.9.[3]
Power to attach estates, for reasons of State, without judicial trial -	Ben.Reg.3,1818,s.9(am.in O.,Act18,1876, Sch.II). Bom.Reg.25,1827,s.7(am. Bom.Act3,1886,s.2). Mad.Reg.2,1819,s.9.
Management of such estates - - - - - - -	Ben.Reg.3,1818,s.10(rep. inO.,Act18,1876, Sch.II). Bom.Reg.25,1827,s.8. Mad.Reg.2,1819,s.10.
Release of such estates from attachment - - - -	Ben.Reg.3,1818,s.11. Bom.Reg.25,1827,s.9. Mad.Reg.2,1819,s.11.

Local extent of the above Regulations. *See* STATE PRISONER.

In execution of decree in civil suit - - - - -	Act14,1882,s.266(am.Act 7,1888,s.28),ss.267to 285,Sch.,Forms137 to144.

Before judgment. *See* CIVIL PROCEDURE, 5.

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[1] These sections are indexed because they are published in the Collection of Statutes relating to India.
[2] This short title was given by Act 5, 1897, s. 4.
[3] This Act is indexed because it is published in the Collection of Statutes relating to India.

ATTACHMENT—*cont.*
For recovery of land-revenue. *See cross references from* COLLECTION OF LAND-REVENUE.
For recovery of rent. *See* DISTRAINT.
Of illicit opium crop - - - - - - Act1,1878,s.22.
Of property of absconding offender - - - - - - Act10,1882,ss.88(am.Act 10,1886,s.4),89.
ATTEMPTS TO COMMIT OFFENCES. *See* CRIMINAL LAW (INDIAN), 22.
ATTORNEY. *See* SOLICITOR.
ATTORNMENT.
Not necessary to complete conveyance of land, etc. - - - 4-5A.c.3,ss.9,10.[1]
BAIL.
Excessive, not to be taken - - - - - - 1W.&M.sess.2,c.2.[1] Act10,1882,s.498.
Provisions as to. *See* CRIMINAL PROCEDURE (INDIAN), 12 (2).
BAILABLE OFFENCE defined. *See* WORDS AND PHRASES.
BAILMENT. *See* CONTRACT, 5 (*c*).
BALUCHISTAN. *See* BRITISH BALUCHISTAN.
BANDELKHAND.
Certain territories bordering on, exempted from operation of the general Regulations and from jurisdiction of the Civil and Criminal Courts - - - - - - - Ben.Reg.22,1812,s.2(pt. rep.Act12,1891).
BANISHMENT.
None without due process of law - - - - - 25E.1(*Mag. Car.*),c.29.[1]
BANK.

1. Presidency Banks.

Act 11, 1876, applies to Banks of Bengal, Bombay and Madras - Act11,1876,s.3.
„ „ and Act 5, 1879, declared in force in Upper Burma generally (except the Shan States) - - - Act20,1886,s.6.
Definitions - - - - - - - - Act11,1876,section 3.
Constitution and incorporation of - - - - - „ ss.4to7,22.
Government servant may be member of - - - - „ s.66.
Seal of, how used - - - - - - - „ s.8.
Contracts by, how made - - - - - - „ s.9.
Capital of - - - - - - - - „ ss.10to16.
Stock and shares of; provisions as to - - - - „ ss.12,17to23.
Directors of - - - - - - - - „ ss.24to32,64 (s.28am.Act 5,1879,s.2).
Officers of - - - - - - - - „ ss.32to35(s. 34am.Act5, 1879,s.3).
What business may be transacted by - - - - „ ss.36,37(am. Act5,1879, ss.4,5).
To act as Government bankers - - - - - „ ss.36(*o*),38,39.
Place of business, and branches - - - - - „ ss.40to42.
Accounts and dividends - - - - - - „ ss.43,44.
„ audit of - - - - - - - „ ss.47,48.

[1] These Acts are indexed because they are published in the Collection of Statutes relating to India.

BANK—*cont.*

1. Presidency Banks—*cont.*

Reserve fund - - - - - - - Act11,1876,ss.45,46.
Meetings of proprietors and shareholders - - - - „ ss.49to58.
Service of notices - - - - - - - „ ss.59to62.
Bye-laws; power of directors to make - - - - „ s.63(am.Act 5,1879,s.6).
Legal proceedings - - - - - - - „ ss.64,65.
Power to wind up, under Indian Companies Act, 1882 - - „ s.67(am.Act. 6,1882,s.2).
Confirmation of certain agreements between Government and Banks of Bengal and Madras - - - - - - „ s.68.

2. Government Savings Banks.

Act 5, 1873, extends to whole of British India - - - Act5,1873,s.1.
„ „ declared in force in—
the Santhál Parganas - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
the Arakan Hill District - - - - Reg.9,1874,s.3.
Definitions - - - - - - - - Act5,1873,sec.3.
Deposits in, belonging to estates of deceased persons:
Power of Secretary to pay, to person appearing entitled, if probate, letters of administration or certificate of administration not produced within three months of death - - - „ s.4.
Right of executor, administrator or creditor to follow such payments - - - - - - - - „ s.5.
Power of Secretary to take security from person to whom he makes payment - - - - - - - „ s.6.
Power of Secretary to administer oath to such person - - „ s.7.
Such deposits when excluded in computing court-fees - - „ s.8.
Foregoing sections not to apply to deposits belonging to estates of European soldiers or deserters from army - - - „ s.9.
Deposits in, belonging to minors:
To whom payable - - - - - - „ s.10.
Deposits in, belonging to lunatics:
To whom payable - - - - - - „ s.12.
Deposits in, made by married woman:
May be paid to her - - - - - - „ s.13.
Power of Governor General in Council to make rules for working of Act - - - - - - - - „ s.14.

3. Military Savings Banks.

See ARMY, 7 (*e*).

BANK OF ENGLAND ACT, 1861. [1] (*See* FINANCE) - - - 24-5V.c.3.
BANKERS' BOOKS EVIDENCE ACT {1891 / 1893} (*See* EVIDENCE, II, 6) - Act18,1891. Act1,1893.
BANKI.
Laws in force in Cuttack District to apply to - - - Act25,1881,s.2.
No longer a Scheduled District - - - - - „ s.4.
BANKRUPTCY ACT, 1883. (S. 119, *see* INSOLVENCY, A, 4) - - 46-7V.c.52.
BAPTISMS. *See* REGISTRATION OF BIRTHS, ETC., A, 4.
BARRISTER. *See* ADVOCATE.

[1] This short title was given by 59 & 60 Vict. c. 14.

BASSES' LIGHTS ACT, 1872. (*See* LOAN, A) - - - - 35-6V.c.55.

BASTARD.

Born beyond seas; jurisdiction of Bishop as to - - - 25E.3,stat.1.[1]

BATHING AND WASHING PLACES.

Regulation of, in municipalities:

Ajmer.	*See* MUNICIPALITY,	II, 6 (*i*).	
As.	,, ,,	IV, 6 (*g*); V, 6 (*g*).	
Ben. Districts.	,, ,,	V, 6 (*g*).	
Cal.	,, ,,	VI, 6 (*j*).	
Bom. Districts.	,, ,,	VII, 6 (*i*).	
,, City.	,, ,,	VIII, 6 (*h*).	
Mad. Districts.	,, ,,	XII, 6 (*i*).	
,, City.	,, ,,	XIII, 6 (*h*).	
Punjab.	,, ,,	XIV, 6 (*i*).	

BEERBHOOM.

Ghatwali Mahals. *See* LANDLORD AND TENANT, III, B; LAND-REVENUE, IV, 5.

BENARES FAMILY DOMAINS ACT, 1881 - - - - Act14,1881.

BENARES.

1. Family Domains of the Maharaja of Benares.

No longer a Scheduled District - - - - -	Act14,1881,ss.14,15.
Courts receiving complaints in matters relating to land-revenue to refer parties to Maharaja; intervention of Collector - -	Ben.Reg.15,1795,s.8.
Administration of justice in all matters connected with the revenue to continue to be conducted through the agency of the Maharaja -	Ben.Reg.7,1828,section4.
	,, s.25(am.Act14, 1881,s.12).
Definition of "Board of Revenue" and "Regulations" - -	
Superintendence of, vested in Commissioner of Benares - -	,, s.3(am.Act14, 1881,s.3).
Appointment and powers of Deputy Superintendent - - -	
Settlement and assessment of land-revenue - - - -	,, s.5(pt.rep.Act 14,1881,s.2).
Right to transfer land; notice to be given to Maharaja - -	,, s.6.
Revision of Maharaja's decisions by Superintendent; appeal to, and revision by, Board of Revenue - - - - -	,, s.7(am.Act14, 1881,s.4).
Realization of public revenue; application of general law of the North-Western Provinces - - - - -	,, ss.8to13(am. Act14,1881, ss.5to9).
Prohibition of torture, etc., to enforce arrears of revenue or rent -	,, s.15.
Procedure for sale of land; application of general law of the North-Western Provinces - - - - - - -	,, ss.11to13(am. Act14,1881, ss.7to9).
Cognizance of complaints against Maharaja or his officers for breach of Regulations - - - - - -	,, s.14(pt.rep.Act 14,1881,s.2).
Native Commissioners for taking cognizance of revenue cases; appointment, powers, etc., of - - - - -	,, ss.16to22(am. Act14,1881, ss.10to12; pt.rep.Act 14,1881,s.2).
Power of Local Government to make rules as to powers, etc., of Native Commissioners, and as to administration of the Family Domains - - - - - - - -	,, s.22(am.Act14, 1881,s.12).
Partial application of Code of Civil Procedure - - -	

[1] This Act is indexed because it is published in the collection of Statutes relating to India.

BENARES—*cont.*

1. Family Domains of the Maharaja of Benares—*cont.*

Reference to Board of Revenue in case of doubt as to Judge's jurisdiction - - - - - - - - - Ben.Reg.7,1828,s.23(am. Act14,1881,s.12).

Operation in the Family Domains of general enactments in force in the North-Western Provinces - - - - - - „ ss.9,11,24(am. Act14,1881,ss. 5,7,12).

Validation of past orders, etc. - - - - - - - Act14,1881,s.13.

2. Miscellaneous.

Permanent settlement of land-revenue. *See* PERMANENT SETTLEMENT, 3.

Wills of Natives. *See* SUCCESSION, 8 (*c*).

BENEVOLENCE.

Raising of, by Crown, without consent of Parliament, illegal - 1W.&M.sess.2,c.2.[1]
See also LOAN (ENGLISH LAW).

BHAGDARI TENURES. *See* LANDLORD AND TENANT, IV, 3.

BHAVNAGAR ACT, 1876 - - - - - - - - Act20,1876.

BHAVNAGAR.

Validation of cession of certain villages to - - - - - Act20,1876,s.2,Sch.

Act 20, 1876, not to affect jurisdiction of British Courts over persons resident or being beyond British India - - - „ s.4.

BHOPAL STATE.

Power to coin rupees for - - - - - - - Act11,1897.

BHUINHARI TENURES IN CHOTA NAGPUR. *See* LANDLORD AND TENANT, III, B.

BHUM. *See* SHIFTING CULTIVATION.

BHUTAN DVÁRS ACT, 1869. - - Act16,1869.
„ „ REPEALING ACT, 1895. (*See* EASTERN DVÁRS) - - Ben.Act7,1895.

BIGAMY.

Penalty for - - - - - - - - - Act45,1860,ss.494,495. Act15,1865,ss.4,5,9. Act3,1872,s.16.

BIKRAMA SINGH'S ESTATES ACT, 1883 - - - - - Act10,1883.

BILL OF EXCHANGE. *See* NEGOTIABLE INSTRUMENT.

BILL OF LADING.

Act 9, 1856, declared in force throughout British India, except as regards the Scheduled Districts - - - - - Act15,1874, s.3.

Rights under, to vest in consignee or endorsee; savings - - Act9,1856,ss.1,2.

In hands of consignee or endorsee for valuable consideration; conclusive evidence of shipment as against master, etc. - - - „ s.9.

BILL OF RIGHTS.[2] [*See* ARMS, ETC., 1; ARMY, 1; BAIL; BENEVOLENCE; COMMISSION OF INQUIRY; CORONATION; CRIMINAL LAW (ENGLISH); CROWN; CROWN LANDS; ELECTION FINES; FORFEITURE; JURY; LOAN, A; PETITION; TAXES.] - - 1W.&M.sess.2,c.2.

BIRD. *See* GAME.

BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT, 1886. (*See* REGISTRATION OF BIRTHS, ETC.) - - - - - Act6,1886.

[1] This Act is indexed because it is published in the Collection of Statutes relating to India.
[2] This short title was given by 59 & 60 Vict. c. 14.

BISHOPS ACT (INDIAN), 1842[1] - - - - - - 5-6V.c.119.

" " " 1871[1] - - - - - 34-5V.c.62.

BISHOPS AND COURTS ACT (INDIAN), 1823.[1] (*See* BISHOPS; HIGH COURT) - - - - - - - - 4G.4,c.71.

BISHOPS AND CLERGY.

1812-3. 53 G. 3, c. 155, ss. 49 to 53 (Bishops and Archdeacons).
1819. 59 G. 3, c. 60 (Ordination for colonies).
1823. 4 G. 4, c. 71, ss. 3 to 6 (Bishops and Archdeacons).
1825. 6 G. 4, c. 85, ss. 5, 15 (Salaries, etc.).
1833. 3-4 W. 4, c. 85, ss. 89, 90, 92 to 94, 96 to 102 (Bishops and Clergy).
1842. 5-6 V. c. 119 (Bishops).
1852. 15-6 V. c. 52 (Bishops).
1852-3. 16-7 V. c. 49 (Bishops).
1871. 34-5 V. c. 62 (Bishops).
1874. 37-8 V. c. 77 (Bishops and Clergy).
1880. 43 V. c. 3 (Salaries).

Appointment, salaries, pensions, allowances, etc., of Bishop of Calcutta and three Archdeacons - - - - - - 53G.3,c.155,ss.49,50,53. 4G.4,c.71,ss.3to5. 6G.4,c.85,ss.5,15. 3-4W.4,c.85,ss.98,99,101. 5-6V.c.119. 43V.c.3.

Power to constitute bishopries of Madras and Bombay, and salaries, pensions, allowances, jurisdiction, etc., of Bishops and Archdeacons - 3-4W.4,c.85,ss.89,90,92to 94,96to101. 5-6V.c.119. 15-6V.c.52. 37-8V.c.77,s.13. 43V.c.3.

Bishop of Calcutta to be metropolitan - - - - 3-4W.4,c.85,s.94.

Provisions as to leave of absence of Bishops - - - - 34-5V.c.62. 43V.c.3.

Jurisdiction of Bishop of Calcutta - - - - - 53G.3,c.155,ss.51,52. 3-4W.4,c.85,ss.93,94. 15-6V.c.52. 37-8V.c.77,s.13.

Admission to holy orders by Bishop of Calcutta - - - 4G.4,c.71,s.6.

Power of bishops to ordain persons on commission from bishops in England - - - - - - - - - 15-6V.c.52. 16-7V.c.49. 37-8V.c.77,s.8.

Consecration of persons to be bishops; oath - - - - 37-8V.c.77,s.12.

Ordination of clergy for colonies - - - - - 59G.3,c.60,s.1.

Clergy not to officiate without permission of Bishop - - 37-8V.c.77,ss.3to7.

Two Chaplains of Church of Scotland to be on establishment of each Presidency - - - - - - - - 3-4W.4,c.85,s.102.

BOARD OF REVENUE.

General powers, duties, etc., of (Bengal). *See* LAND-REVENUE, IV, 2; OPIUM, II, 2; REGISTRATION OF LAND, I.

" " " " (Madras). *See* LAND-REVENUE, XIII, 2; REGISTRATION OF LAND, III, B; VILLAGE, F.

" " " " (N.-W. P.). *See* LAND-REVENUE, XV, 2; OPIUM, II, 2.

" " " " (Oudh). *See* LAND-REVENUE, XVI, 2; OPIUM, II, 2.

[1] This short title was given by 59 & 60 Vict. c. 14.

BOARD OF REVENUE—*cont.*

To be Court of Wards - - - - - - - - (Ben.)Ben.Act9,1879,s.5. (Mad.)Mad.Reg.5,1804,s.2. (N.)Act19,1873,s.193(am. Act8,1879,s.18). (O.)Act17,1876,s.161(am. Act20,1890,s.28).

Divested of charge of religious endowments. *See* ENDOWMENT, 2.
Duties and powers of, in connection with charitable endowments and escheats. *See* ENDOWMENT, 1; ESCHEAT.
Exercise of powers of, in Assam. *See* ASSAM.

BOATS.
In Bombay Harbour; regulation of. *See* PUBLIC CONVEYANCE.
Regulation of, in municipalities:
Aj., L. B., C. P. *See* MUNICIPALITY, II, 6 (*g*).
Coorg and N.-W. P. „ „ IX, 6.
N.-W. P. and O. „ „ X, 6 (*f*).
Punjab „ „ XIV, 6 (*g*).
See also MERCHANT SHIPPING, 7 (*a*).

BOILER INSPECTION ACT (BOMBAY), 1891. (*See* STEAM-BOILERS) Bom.Act2,1891.

BOILERS. *See* STEAM-BOILERS.

BOMBAY CIVIL FUND ACT, 1882[1]. [*See* GOVERNMENT OF INDIA, 2 (*d*)] 45-6V.c.45.

„ TRAMWAY. *See* TRAMWAYS, A.

„ UNIVERSITY. *See* UNIVERSITY, 2.

BOOKS.
Copyright in. *See* COPYRIGHT, 1, 5 (*a*).
See also PRINTING PRESSES AND PUBLICATIONS.

BOUNDARIES ACT (BURMA), 1880 - - - - - - Act 5,1880.

„ „ AMENDMENT ACT (BURMA), 1895. (*See* BOUNDARIES AND SURVEY-MARKS) Act 2,1895.

BOUNDARIES.
Settlement of. *See* FOREST, 8; FRONTIER, A, 1.
Provision of boundary-marks for railway - - - - - Act9,1890,s.13.
Ajmere: erection and repair of boundary-marks - - Reg.2,1877,s.106.
Assam. *See* LAND-REVENUE, III, A, 3 (*b*).
Bombay Presidency. „ „ VII, A, 5 (*c*).
„ City. „ „ VIII, 4.
Central Provinces. „ „ XI, 3 (*a*), (*b*).
N.-W. Provinces. „ „ XV, 3, 4 (*a*).
Oudh. „ „ XVI, 3, 4 (*c*).
Punjab. „ „ XVII, 4 (*d*).
Chittagong Hills - - - - - - - - - Act22,1860,s.6.
Burma, Coorg and Madras Presidency. *See* BOUNDARIES AND SURVEY-MARKS.
Scheduled Districts - - - - - - - Act14,1874,s.8.
Sundarbans. *See* SUNDARBANS.

BOUNDARIES AND SURVEY-MARKS.

1. Bengal.

See SURVEY OF LAND.

[1] This short title was given by 59 & 60 Vict. c. 14.

BOUNDARIES AND SURVEY-MARKS—*cont.*

2. Burma.

Act 5, 1880[1], extends *proprio vigore* to Lower Burma	Act5,1880,s.1.
Act 2, 1895, extends to the whole of Burma except the Shan States	Act2,1895,s.1.
Definition of "survey-mark"	Act5,1880,s.1A(ad.Act2, 1895,s.3).
Power to appoint, suspend and remove Demarcation-officers and Boundary-officers; their powers and duties	,, s.2.
Power of Local Government to direct demarcation of boundaries of any land by Demarcation-officer	,, s.3.
Power of Demarcation-officer—	
to make enquiries and demarcate	,, s.4.
to require attendance and information	,, ss.5,6,9.
to require clearing of land or other assistance in making demarcation	,, s.7.
Compensation payable for making clearance	,, s.8.
Demarcation-officer to mark out boundaries and cause erection of boundary-marks by owners or occupiers of land	,, s.10.
Boundary-officer to invite and deal with objections to boundaries as determined by Demarcation-officer	,, ss.11,12.
,, to pass order confirming or modifying such boundaries	,, s.12.
,, proceedings of, when objection made to such order	,, ss.13,14.
,, to have powers of Demarcation-officer and power to compel evidence	,, s.15.
,, power of, to refer dispute to arbitration	,, s.16.
,, orders of, when final; appeal	,, ss.17to21.
Boundary-marks: erection of, by Boundary-officer; apportionment of cost amongst owners or occupiers of land	,, ss.22to24.
,, preservation of, by owners or occupiers of land	,, s.25.
,, repair, etc., of, by order of Magistrate at cost of owner or occupier	,, s.26.
,, erection and repair of, under Land and Revenue Act	(L.B.)Act2,1876,s.54.
Power to invest Survey-officer, for purposes of survey of any land, with powers of Demarcation-officer and Boundary-officer under Act	Act5,1880,s.28(am.Act2, 1895,s.5).
Duty of village-headman, thugyi and owner or occupier of land to prevent and report injury to boundary or survey-mark	,, s.28A(ins.Act2. 1895,s.5).
Power to perform act in default of person liable, and recover cost from him	,, s.29.
Penalty for failure to discharge duty imposed, or neglecting to comply with order issued, under Act	,, s.30(am.Act2, 1895,s.6).
Recovery of amounts due under Act	,, s.31.
Power of Local Government to make rules for working of Act	,, s.32.

3. Coorg and Madras Presidency.

Act 28, 1860[2], declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts	Act15,1874,s.4.
Power of Collector or other officer—	
to fix boundaries of fields, villages, etc., and require owner, etc., to clear boundary-line and erect and maintain boundary-marks	Act28,1860,s.2.

[1] Act 5, 1880, has been extended to Upper Burma (except the Shan States) by notification under the Scheduled Districts Act, 1874.

[2] Act 28, 1860, has been extended to Coorg by notification under Act 1, 1865.

BOUNDARIES AND SURVEY-MARKS—*cont.*

3. Coorg and Madras Presidency—*cont.*

Power of Collector or other officer— to register rights and titles, and require information for that purpose	Act 28, 1860,	section 3.
Penalty on owner, etc., for not giving information, etc.	„	s. 4 (am. Act 12, 1891).
Clearance of boundaries and erection or repair of boundary-marks when survey in progress, at cost of owners, etc.; cost to be borne by Government in certain exceptional cases	„	ss. 5 to 8.
Penalty for removal, etc., of boundary-mark or survey-mark	„	s. 9.
Restoration, etc., of mark by Magistrate, at cost of owner, etc., of land		
Power to refer boundary-dispute to arbitration; procedure	„	ss. 10 to 20, 22 to 24.
Settlement-officer, etc., to mark out boundary in accordance with arbitrators' award	„	s. 21.
Marking out of boundary by Settlement-officer, etc., when no reference to arbitration; appeal from his order	„	s. 25 (am. Mad. Act 2, 1884, s. 9).
Revision of, and appeal from, orders imposing fine or charge	„	s. 26.
Disposal of fines	„	s. 27.
General power to enter and mark, etc., land	„	s. 28.
Penalty for obstructing officer	„	s. 29.
Power to invest subordinate officers with powers under Act	„	s. 30.
Owners or occupiers to be responsible for repair and maintenance of boundary-marks	Mad. Act 2, 1884,	section 1.
Completion of survey of village to be reported to Collector; Collector then to have charge of boundary-marks	„	s. 2.
Power of Collector, etc., to construct or repair boundary-marks of villages or survey numbers, and assess charges on owners or occupiers of land	„	s. 3.
Power of Collector, etc., to require owners, etc., to construct or repair boundary-marks, and in their default to execute work himself at their expense; appeal	„	ss. 4 to 8.

Coorg. *See also* LAND-REVENUE, XII, 5.

BRIDGES.

Tolls on. *See* TOLLS.

BRITISH BALUCHISTAN.

Power to constitute districts and tahsils and vary limits thereof	Regulation 1, 1890,	section 2.
What enactments in force in	„	s. 3 (*1*), (*2*), Sch. (pt. rep. Reg. 9, 1894).
Power to withdraw enactments from	„	s. 3 (*3*).
Acts 23 of 1867, 1 of 1872, 1 of 1879, and 13 of 1889, and Regs. 4 and 9 of 1887 modified in	„	s. 4 (am. Reg. 5, 1890, s. 45).
Power for Courts to construe enactments with necessary alterations	„	s. 5.
Validation of past acts and rules	„	ss. 6, 7 (pt. rep. Reg. 5, 1890, s. 47).

BRITISH BALUCHISTAN—*cont.*

For further provisions specially enacted for British Baluchistan, see the appropriate heads.

BRITISH BURMA, AND BRITISH BURMA GAZETTE.
Construction of references to. *See* WORDS AND PHRASES.

BRITISH INDIA defined. *See* WORDS AND PHRASES.

BRITISH LAW ASCERTAINMENT ACT, 1859[1]. (*See* LAW) - - 22-3V.c.63.

BRITISH POSSESSION defined. *See* WORDS AND PHRASES.

BRITISH SETTLEMENTS ACT, 1887 - - - - - 50-1V.c.54.

BRITISH SETTLEMENT.
Power of Her Majesty in Council to make laws for and constitute Courts in - - - - - - - - - 50-1V.c.54.
Delegation of power by Her Majesty - - - - 50-1V.c.54,s.3.

BRITISH SUBJECT.

1350-1. 25 E. 3, stat. 1 (Inheritance).
1707. 7A. c. 5, s. 3 (Children born out of Allegiance).
1870. 33-4 V. c. 14[2][3] (Naturalization).
1870. 33-4 V. c. 102[2] (Naturalization).
1872. 35-6 V. c. 39[3] (Naturalization).
1895. 58-9 V. c. 43 (Naturalization).

1. Children born out of Allegiance.
2. Declaration of Alienage, Expatriation and Resumption of Nationality.
3. Miscellaneous.

1. Children born out of Allegiance.

Inheritance by children born beyond the sea of parents in King's allegiance - - - - - - - - 25E.3,stat.1
Children of natural-born subject born out of England declared to be natural-born subjects - - - - - 7A.c.5,s.3.
See also, as to status of married women and children, *below*, 2 (*d*).

2. Declaration of Alienage, Expatriation and Resumption of Nationality.

(*a*) *Declaration of Alienage.*

Power of subject born in Her Majesty's dominions, but at birth a subject of a foreign State under the law of such State, or child born out of Her Majesty's dominions of father being a British subject, to make declaration of alienage - - - - 33-4V.c.14,s.4.

(*b*) *Expatriation.*

British subject voluntarily naturalized in foreign State to cease to be British subject, and to be statutory alien - - - „ s.6.
British subject becoming alien not discharged from liability in respect of former acts - - - - - - - „ s.15.

(*c*) *Resumption of Nationality.*

Certificate of re-admission of statutory alien to British nationality - „ s.8.
„ in case of widow being British-born subject, but rendered alien by marriage - - - - - - „ s.10.
Oath of allegiance; taking of, by person re-admitted; form of, and regulations as to - - - - - - - - „ ss.8,9.
„ c.102,s.1.

[1] This short title was given by 59 & 60 Vict. c. 14.
[2] Collective title ("Naturalization Act, 1870") given by 33 & 34 Vict. c. 104.
[3] Collective title ("Naturalization Act, 1870, 1872") given by 35 & 36 Vict. c. 39.

BRITISH SUBJECT—*cont.*

2. Declaration of Alienage, Expatriation and Resumption of Nationality—*cont.*

(*c*) *Resumption of Nationality*—cont.

Confirmation of renunciation of naturalization in United States, under convention - - - - - - - - 35-6V.c.39,s.2,Sch.

(*d*) *Supplemental.*

Married women, national status of - - - - - - 33-4V.c.14,s.10.
„ „ rights of, to property, previous to passing of Act of 1870, not affected thereby - - - 35-6V.c.39,s.3.
Children; effect on status of, of parent becoming alien, or being re-admitted to British nationality - - - - 33-4V.c.14,s.10. 58-9V.c.43.
Power of Secretary of State to make regulations—
as to declarations and certificates, and fees - - - 33-4V.c.14,s.11.
as to administration, etc., of oath of allegiance, and fees - „ c.102,s.1.
Evidence of declarations, certificates, and regulations - - „ c.14,s.12.
Penalty for false declaration - - - - - - „ c.102,s.2.

3. Miscellaneous.

Execution of will of personal estate abroad. *See* DOMICILE.
Retention of domicile for purpose of testate or intestate succession as to moveables by British subject resident and dying abroad. *See* DOMICILE.

BROTHEL.

Power of Magistrate to order discontinuance of; penalty - - (Bom.Districts)Bom.Act4. 1890,ss.41,50,67. (Howrah)Act21,1857, ss.1,7.
Power of Commissioner of Police to order discontinuance of - (Bo.Town)Act48,1860,s, 14. (M.City)Mad.Act3,1888, s.52.
Power of Magistrate or Commissioner of Police to order discontinuance of - - - - - - - - - (Cal.)Ben.Act4,1866,s.43. (Cal.Sub.)Ben.Act2,1866, s.17.
Power to suppress, in Punjab Municipalities - - - Act20,1891,s.204.

BUILDINGS.

Regulation of, in municipalities:
Aj., L.B., C.P. *See* MUNICIPALITY, II, 6 (*b*), (*c*), (*d*), (*g*), (*r*).
U. B. „ „ III, 6.
As. „ „ IV, 6 (*b*), (*c*), (*d*); V, 6 (*b*), (*c*), (*d*).
Ben. Districts. „ „ V, 6 (*b*), (*c*), (*d*).
Cal. „ „ VI, 6 (*a*) to (*e*), (*r*).
Bom. Districts. „ „ VII, 6 (*b*) to (*d*).
„ City. „ „ VIII, 6 (*a*) to (*d*), (*f*), (*i*), (*k*), (*p*).
Mad. Districts. „ „ XII, 6 (*b*) to (*d*).
„ City. „ „ XIII, 6 (*a*) to (*d*).
Punjab. „ „ XIV, 6 (*b*) to (*d*), (*g*), (*r*), (*t*).

BURIAL BOARDS ACT (CALCUTTA), 1881. [*See* DISPOSAL OF THE DEAD, [1] (*a*)] - - - - - - - - - Ben.Act5,1881.

BURIAL. *See* DISPOSAL OF THE DEAD; REGISTRATION OF BIRTHS, etc., A, 4.

BURMA.

(1) Upper and Lower Burma:

Constitution of province, consisting of Upper Burma and Lower Burma - - - - - - - - Act20,1886,section2(*l*).

References in prior enactments to "British Burma Gazette" and "British Burma" or "Burma" to be construed as referring to the Burma Gazette and Lower Burma, respectively - - - - - - - - - - ,, s.4.

Power to transfer territory from Upper Burma to Lower Burma and *vice versâ*; effect of transfer on operation of Scheduled Districts Act, 1874 - - - - - ,, s.2(2)to(4).

(2) Upper Burma:

Power to constitute and vary divisions, districts, sub-divisions, townships and circles - - - - - - - ,, s.3.

What enactments to be in force in Upper Burma generally (except the Shan States) and in the Town of Mandalay, respectively; power to withdraw enactments - - ,, s.6,Sch.II (pt.rep.Acts 11and13of 1889,11of 1890,12of 1891,9of 1894;am. Act18of 1888,s.7).

Acts 8 of 1851, 6 of 1864, 1 of 1872 and 19 of 1876 modified in Upper Burma (except the Shan States) - - - ,, s.7(pt.rep.Act. 19,1891), Sch.III.

Power for Courts to construe enactments with necessary alterations - - - - - - - - - ,, s.9.

Validation of certain past acts and rules - - - ,, ss.10,11.

See also CHIN HILLS; KACHIN HILLS.

(3) The Shan States in Upper Burma:

Power to declare what territories included in - - - ,, s.8(3).

,, extend enactments to, and withdraw them from - ,, s.8(1)(am.Act 21,1895,s.1).

,, modify enactments when extending them to - - Act15,1888,s.5(am.Act 21,1895,s.2).

No enactment to be in force in, unless extended under Act 20, 1886, s. 8 (1) - - - - - - - - Act20,1886,s.8(2).

Act 11, 1889, s. 46 (jurisdiction over European British subjects), declared in force in - - - - - - Act11,1889,s.47.

Administration (civil, criminal and revenue) of, by their own Chiefs and under their own laws; intervention of Local Government of Burma - - - - - - - Act15,1888,ss.3,4.

(4) Lower Burma:

See ARAKAN HILLS.

For further provisions enacted specially for Burma, see the appropriate heads.

BUSTEE.

In Calcutta control over. *See* MUNICIPALITY, VI, 8 (*c*).

BYE-LAWS.
Construction of. *See* ACTS OF PARLIAMENT, 1; ACTS AND REGULATIONS OF INDIAN LEGISLATURES, 1.
Publication of. *See* ACTS AND REGULATIONS, ETC., 1.

CALCUTTA TRAMWAY. *See* TRAMWAYS, A.
„ UNIVERSITY. *See* UNIVERSITY, 2.

CANALS ACT, 1864. (*See* CANAL, II) - - - - - - Ben. Act 5, 1864.

CANAL AND DRAINAGE ACT (NORTHERN INDIA), 1873. (*See* CANAL; DRAINAGE; IRRIGATION) - - - - - - - Act 8, 1873.

CANALS AND PUBLIC FERRIES ACT, 1890. (*See* CANAL; FERRY) - Mad. Act 2, 1890.

CANAL.

1864. Ben. Act 5 (Canals).
1873. Act 8, ss. 3, 49 to 54, 67, 69 to 73, 75 (Canals and Drainage, Central Provinces, N.-W. Provinces, Oudh, Punjab).
1881. Act 2 (Pegu and Sittang Canal).
1889. Reg. 3, s. 35 (Land and Revenue, Upper Burma).
1890. Mad. Act 2, ss. 3 to 7, 11 to 20 (Canals and Ferries).

GENERALLY - - - - - .....
I.—AJMERE AND BOMBAY PRESIDENCY - .....
II.—BENGAL - - - - - - .....
III.—LOWER BURMA - - - PEGU AND SITTANG CANAL.
1. Preliminary.
2. Navigation of Canal.
3. Maintenance of Canal.
4. Supplemental.
IV.—UPPER BURMA - - - - .....
V.—CENTRAL PROVINCES, N.-W. PROVINCES, OUDH AND PUNJAB - - .....
VI.—MADRAS PRESIDENCY - - - .....

GENERALLY.

Decision by Magistrate of disputes between employers and workmen engaged on construction of canal. *See* PUBLIC WORKS.

I.—AJMERE AND BOMBAY PRESIDENCY.

See IRRIGATION, I, IV.

II.—BENGAL.

Definitions - - - - - - - - - Ben. Act 5, 1864, s. 1.
Power to apply Act to navigable channels - - - - „ s. 2.
Making, improvement, etc., of navigable channels, and application of Act to channels so dealt with - - - - - „ ss. 3, 4.
Tolls on vessels navigating channels:
Levy, collection and recovery of - - - - - „ ss. 5 to 9.
Penalty for evasion of - - - - - - „ s. 10.
Making and publishing of rules for management, etc., of navigable channels; penalties for breach of rules - - - - „ ss. 11, 12.
Appointment and powers of supervisor - - - - „ ss. 13 to 15.
Penalty for obstructing channel, etc. - - - - „ s. 16.
Recovery of fines - - - - - - - „ s. 17.
Place of trial of offenders - - - - - - „ s. 18.
Bengal Embankment Act, 1882, not to apply to land, etc., which is subject to Ben. Act 5, 1864 - - - - - Ben. Act 2, 1882, s. 91.

See also EAST INDIA IRRIGATION AND CANAL COMPANY; IRRIGATION, III.

CANAL—*cont.*

III.—LOWER BURMA.

PEGU AND SITTANG CANAL.

1. Preliminary.

Definitions	Act 2, 1881,	section 2.
Appointment of officers, etc.	„	s. 3.

2. Navigation of Canal.

Tolls to be levied	„	ss. 4, 21(*c*).
Power to make rules as to navigation	„	s. 21(*a*).
Removal and detention of vessels violating rules or causing danger; recovery of expenses from owner	„	s. 5.
Detention of vessel for recovery of toll or charge; seizure of cargo or goods carried in Government vessel, etc., for recovery of charge due to Government; sale of vessel, etc.	„	ss. 6 to 8.
Sale of abandoned vessels and unclaimed goods	„	s. 9.

3. Maintenance of Canal.

Power to enter on land and remove obstructions or do other act required for maintenance of canal	„	s. 10.
„ make surveys, etc.	„	s. 11.
„ enter on land to repair or prevent accident	„	s. 12.
Compensation for damage caused under s. 10, 11 or 12	„	s. 13.
Procedure for obtaining labour and materials for works urgently required; payment to be made; compensation when to be given	„	ss. 14 to 17.

4. Supplemental.

Offences and penalties; saving of prosecutions under other laws; recovery of fines; arrest without warrant	„	ss. 18 to 20.
Making and publishing of subsidiary rules; penalty for breach of rule	„	s. 21.

IV.—UPPER BURMA.

Tolls imposed for navigation of State irrigation channels	Reg. 3, 1889,	s. 35.

See also IRRIGATION, II.

V.—CENTRAL PROVINCES, N.-W. PROVINCES, OUDH AND PUNJAB.

Definitions	Act 8, 1873,	sections 3, 74.
Detention of vessel violating rules, and recovery of damages for injury done to canal	„	ss. 49 to 53.
Sale of abandoned vessels and unclaimed goods	„	s. 54.
Jurisdiction of Civil Courts	„	s. 67.
Procedure; penalties; making of rules	„	ss. 69 to 73, 75.

See also IRRIGATION, V.

VI.—MADRAS PRESIDENCY.

Definitions	Mad. Act 2, 1890,	section 3.
Power to declare lines of navigation to be subject to Act	„	s. 4.
Vessels using canal to be licensed or registered; penalty	„	s. 5 (am. Mad. Act 2, 1895), s. 18.
Power to— fix fees for licensing or registration of vessels; establish stations for levy of tolls; fix rates of tolls and of fees for use of public landing-places, etc.	„	s. 6.

CANAL—*cont.*

VI.—MADRAS PRESIDENCY—*cont.*

Power for authorised persons to suspend or cancel license or registration, impose penalties, remove sunken vessels, etc., prohibit construction of contrivance for fishing, and stop and detain vessels	Mad. Act 2, 1890,	section 7.
Power to assign management of canal to Local Board or Municipal Council	„	s. 11.
Collection or leasing of fees and tolls	„	s. 12.
Recovery of dues	„	s. 14.
Form and conditions of licenses and registration	„	s. 15.
Rules: power to make; penalty for breach of	„	ss. 16, 17.
Penalty for evasion of, or unauthorised collection of, toll or fee	„	s. 19.
Confiscation of vessel, etc., on conviction of offence	„	s. 20.

See also MADRAS IRRIGATION AND CANAL COMPANY.

CANTONMENTS ACT, 1889 — Act 13, 1889.

„ „ AMENDMENT ACT, 1895 — Act 5, 1895.

CANTONMENT.

1869. Act 5, Pt. I (*f*) (Indian Articles of War).
1873. Act 15, s. 5 (Municipalities, Coorg and North-Western Provinces).
„ Bom. Act 6, s. 23 (Municipalities).
1876. Ben. Act 5, s. 5 (Municipalities, Assam).
1878. Ben. Act 7, ss. 80, 81 (Excise, Bengal).
„ Bom. Act 5, s. 61 (Excise, Bombay).
1883. Act 1, ss. 3, 4 (Local Self Government, Central Provinces).
„ Act 14, ss. 3, 27 (Local Self Government, North-Western Provinces and Oudh).
„ Act 15, ss. 3, 26, 72 (Municipalities, North-Western Provinces and Oudh).
„ Act 20, ss. 9, 10, 24, 54 (Local Self Government, Punjab).
1884. Act 17, ss. 3, 29, 138 (Municipalities, Lower Burma).
„ Ben. Act 3, ss. 5, 9, 37A, 66A (Municipalities, Assam and Bengal).
„ Bom. Act 1, ss. 4, 36, 47, 48 (Local Self Government, Bombay).
1884. Bom. Act 2, s. 31 (Municipalities, Bombay Districts).
1885. Ben. Act 3, ss. 4, 30, 136, 137 (Local Self Government, Bengal).
1886. Act 17, s. 10 (Morar Cantonment).
„ Reg. 5, ss. 3, 26, 154 (Municipalities, Ajmere).
„ Reg. 6, s. 3 (Local Self Government, Ajmere).
1889. Act 13 (Cantonments).
„ Act 18, ss. 4, 18, 134 (Municipalities, Central Provinces).
1890. Reg. 1, ss. 3, 4 (Laws, British Baluchistan).
1891. Act 20, ss. 4, 27, 143, 183, 194 (Municipalities, Punjab).
„ Ben. Act 2, s. 4 (Hackney-carriages and Palanquins).
„ N. & O. Act 1, s. 6 (Water-supply).
„ Reg. 6, s. 2 (Towns, U. B.).
1892. Act 9, s. 2 (Towns, L. B.).
1896. Act 12, ss. 62, 63 (Excise, Northern India, etc.).

1. Administration.
2. Excise.
3. Taxation and Cantonment Fund.
4. Miscellaneous.

1. Administration.

Act 13, 1889, extends to whole of British India, including Upper Burma	Act 13, 1889,	s. 1.
„ declared (with additions) to be in force in British Baluchistan	Reg. 1, 1890, Reg. 5, 1890,	ss. 3, 4 (am. s. 45).

CANTONMENT—*cont.*

1. Administration—*cont.*

Power to declare place to be cantonment, to withdraw such declaration, and to define limits of cantonment - - - - - Act13,1889,s.4.

Cantonment not to be included in area subject to Local Board, etc. - (C.P.)Act1,1883,ss.3,4. (N.&O.)Act14,1883,s.3. (P.)Act20,1883,s.10. Ben.Act3,1885,s.4. Bom.Act1,1884,s.4. Reg.6,1886,s.3.

" " " municipality, except with consent of Government of India - (Co.&N.)Act15,1873,s.5. (N.&O.)Act15,1883, ss.3,72. (L.B.)Act17,1884,s.3. (C.P.)Act18,1889,ss.4,134. (P.)Act20,1891,ss.4,194. (As.)Ben.Act5,1876,s.5. (As.&Ben.)Ben.Act3,1884, ss.5,9(am.Ben.Act 4,1884,s.4). (Aj.)Reg.5,1886,ss.3,154. N.&O.Act1,1891,s.6.

Sanction of Governor General in Council required to—

extension of Ben. Act 2, 1891 (Hackney-carriages and Palanquins) to cantonment - - - - - - Ben.Act2,1891,s.4.

application of Lower Burma Towns Act and Upper Burma Towns Regulation to cantonment - - - - - Act9,1892,s.2. Reg.6,1891,s.2.

Cantonment not to be excluded from Municipality except with consent of Government of India - - - - - (N.&O.)Act15,1883,s.72. (C.P.)Act18,1889,s.134. (P.)Act20,1891,s.194. (As.&Ben.)Ben.Act3,1884, s.9(am.Ben.Act 4,1894,s.4). (Aj.)Reg.5,1886,s.154.

Appointment, etc., of Joint Committee consisting of Cantonment Authority and another Local Authority - - - - (N.&O.) Act14,1883, s.27 Act 15, 1883, s.26. (L.B.)Act17,1884,s.29. (C.P.)Act18,1889,s.18. (P.) Act20,1883,s.24. Act20,1891,ss.27, 183. (As.&Ben.)Ben.Act3,1884, s.37A(ins.Ben.Act 4,1894,s.23). (Ben.)Ben.Act3,1885,s.30. (Aj.)Reg.5,1886,s.26. Bom.Act1,1884,s.36. Bom.Act2,1884,s.31.

CANTONMENT—*cont.*

1. Administration—*cont.*

Settlement of differences of opinion between Cantonment Authority and another Local Authority - - - - - - (N.&O.) Act14,1883,s.27(2). Act15,1883,s.26(2). (L.B.)Act17,1884,s.138. (C.P.)Act18,1889,s.18(2), (P.) Act20,1883,s.54 Act20,1891,s.183. (As.&Ben.)Ben.Act3,1884, s.66A(ins.Ben.Act 4,1884,s.29). (Ben.)Ben.Act3,1885,ss. 136,137. (Aj.)Reg.5,1886,s.26(2). Bom.Act1,1884,s.36. Bom.Act2,1884,s.31.

Presidency-town; Local Government to appoint authority to discharge functions in cantonment situate in - - - - - Act13,1889,section30.

Cantonment Authority required for every cantonment beyond Presidency-town - - - - - - „ s.5.

„ „ to be Cantonment Committee, or Commanding Officer of Cantonment; Local Government to determine whether Committee is to be constituted - - - - - - „ s.6.

„ „ is a "Local Authority" - - - - „ s.6(3).

„ „ rules for constitution, functions, proceedings and division of duties of Cantonment Committees - - - - - - „ s.26(4).

„ „ rules for functions of Commanding Officer where no Committee - - - - „ s.26(5).

„ „ *See also* LOCAL AUTHORITY.

Cantonment Magistrate required for every cantonment beyond Presidency-town - - - - - - „ s.5.

„ „ appointment and subordination of - - „ s.7.

„ „ rules for duties of - - - - - „ s.26(6).

Court of Small Causes; suits cognizable by - - - - - „ ss.8to10.

„ „ „ continuance of jurisdiction notwithstanding reduction of jurisdiction of Judge - „ s.11.

Police-force deemed part of general police establishment under Local Government - - - - - - - „ s.12(1).

„ cantonment deemed a "town" for purposes of s. 34, Act 5, 1861 (arrest and punishment for certain offences on roads, etc.) - - - - - „ s.12(2).

„ maintenance of, a first charge on Cantonment Fund - „ s.21(2).

Indian Articles of War not to affect Magistrates or police in cantonment - - - - - - - - - - Act5,1869,Pt.I,cl.(f)(am-Act12,1894,s.5).

Power to extend municipal enactments to, with restrictions and modifications - - - - - - - - Act13,1889,s.25.

CANTONMENT—*cont.*

1. Administration—*cont.*

Power to make rules for administration of; penalties for breach - Act13,1889,ss.26(am.Act5,1895),27.

„ extend such enactments and rules to places beyond cantonment - - - - - - - „ s.28.

Vaccination. *See* VACCINATION, 1.

Protection of game. *See* GAME.

Hackney-carriages. *See* HACKNEY-CARRIAGE.

Levy in cantonment of tax under Bombay Highway Act, 1883, or contribution from funds of cantonment for objects of that Act. *See* TAXES.

2. Excise.

Liquor and intoxicating drugs:

Permission of Commanding Officer required to sale of spirituous liquor or intoxicating drug (including opium), or possession of more than one quart of spirituous liquor, in or near cantonment; arrest and seizure; disposal of things seized; exception as to articles sold or supplied for medicinal purposes - - - - - - - - - „ ss.13to16.

Control of Commanding Officer over grant and continuance of licenses for—

manufacture of spirit or sale of spirit or fermented liquor - Act12,1896,s.62.

„ or sale of spirituous or fermented liquor or intoxicating drugs (other than opium) - - Ben.Act7,1878,s.80.

Application of certain Excise Acts to cantonments - - - Act12,1896,s.63. Ben.Act7,1878,s.81(rep. in pt.Act13,1889).

Cantonments Act not affected by Bombay Excise Act - - Bom.Act5,1878,s.61.

3. Taxation and Cantonment Fund.

Taxation; power to introduce, abolish and modify municipal taxes - Act13,1889,section17(*1*).

„ „ apply or adapt municipal enactments or rules for assessment and recovery of taxes - - „ s.17(*2*).

„ „ extend Act 20, 1856 (Chaukidars), to cantonments; consequential restriction of power of taxation - - - - - „ ss.18,19(am.Act12,1891).

„ „ prohibit levy of any tax, or exempt persons or property - - - - - „ s.20.

Collection of octroi in cantonment limits by Municipal Committee, by agreement with Cantonment Authority - - - (P.)Act20,1891,s.143(*3*).

Cantonment Fund; constitution of; what moneys to be credited and debited to; application of fund beyond limits of cantonment - - - - - Act13,1889,section21.

„ „ rules for application of, payments from, and investment of balance - - - „ s.26(*7*)to(*9*).

„ „ custody, vesting and management of - - „ ss.22,23.

„ „ acquisition of immoveable property at cost of; application of Land Acquisition Act - „ s.24.

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CANTONMENT—*cont.*

3. Taxation and Cantonment Fund—*cont.*

Power of Local Government to direct expenditure within cantonment of proceeds of local rate levied therein under Punjab District Boards Act, 1883 - - - - - - - - (P.)Act20,1883,s.9.

Assignment by District Local Board to Cantonment Committee of proceeds of certain taxes levied by Board in cantonment - - Bom.Act1,1884,s.47.

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Code of Criminal Procedure, s. 555, (Magistrate not to try case in which he is personally interested), barred in certain cases - - Act13,1889,s.29.

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Under Army Act - - - - - - - - 44-5V.c.58,s.4.

„ Indian Articles of War - - - - - Act5,1869,Arts.7to24(am. Act12,1894,ss. 7toll.)

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[1] This Act is indexed because it is published in the Collection of Statutes relating to India.

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[1] Act 17, 1890, is spent.

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[1] This short title was given by 59 & 60 Vict. c. 14.
[2] These Acts are indexed because they are published in the Collection of Statutes relating to India.
[3] This short title was given by Act 5, 1897, s. 4.

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CIVIL COURTS ACT (BENGAL, N.-W. PROVINCES AND ASSAM), 1887 - Act12,1887.

,, ,, ,, (BOMBAY), 1869 - - - - - - Act14,1869.

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[1] This Act is indexed because it is published in the Collection of Statutes relating to India.

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" " " (MADRAS), 1873 - - - - - Act3,1873.
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" " " (OUDH), 1879 - - - - - Act13,1879.
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1827. Bom. Reg. 4, s. 26 (Law to be administered, Bombay Presidency).
1830. Bom. Reg. 13 (Jagirdars, etc., Bombay).
1838. Act. 16 (Land suits, Bombay).
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1856. Act 12. (Amins ; Assam, Bengal and North-Western Provinces).
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1881. Reg. 2 (Courts, Coorg).
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[1] This short title was given by Act 5, 1897, s. 4.

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3. Miscellaneous.

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Vacations	„	s. 15.
Seal	„	s. 16.
Suspension or removal of Judges or Munsifs	„	ss. 26 to 29.
Ministerial officers	„	ss. 30 to 35
Power to confer powers of Civil Court on officers	„	s. 36.
Judge or Munsif not to try suit in which he is personally interested	„	ss. 38, 39.
What parts of Act 12, 1887, apply to Provincial Courts of Small Causes	„	s. 40.
Assistant Magistrates, etc., to follow procedure prescribed for Collector in instituting suits		(Ben.) Ben. Reg. 4, 1821, s. 7.
Certain sections of Act 12, 1887, not to apply to Honorary Munsifs in North-Western Provinces		N.&O. Act 2, 1896, s. 13.
Civil Court Amins:		
Number, appointment and remuneration of		Act 12, 1856, ss. 2, 3 (s. 2 am. in N.-W.P. Act 19, 1886, s. 1).
Duties of	„	s. 5.
Payments by parties for certain work done by	„	ss. 8, 9.

[1] Act 12, 1856, has been declared in force in the District of Sylhet (Assam) by notification under the Scheduled Districts Act, 1874.

CIVIL COURTS—*cont.*

III.—ASSAM, BENGAL AND NORTH-WESTERN PROVINCES—*cont.*

3. Miscellaneous—*cont.*

Civil Court Amins—*cont.*:

Act 12, 1856, not to prevent Civil Courts in North-Western Provinces from employing Revenue-officers on Amin's duties in case of land paying revenue to Government - - — Act12,1856,s.10.

Courts in Eastern Dvars, Assam. *See* EASTERN DVARS.

Courts in certain exceptional tracts in Bengal. *See* ANGUL DISTRICT, 3, 4; CHITTAGONG HILL TRACTS; CHOTA NAGPUR; SANTHÁL PARGANAS.

IV.—OUDH.

1. Preliminary.

Definitions - - - - - - - - - — Act13,1879;s.3. Act14,1891,s.3.

2. Constitution and Jurisdiction.

Grades of Courts - - - - - - - - — Act 13, 1879, section 4.

Number of Judges and Munsifs; appointments by whom to be made - - - - - - - - - — „ ss.5,6(pt.rep.Act 14,1891,s.11).

Additional Judges - - - - - - - - — „ s.7.

Temporary charge of office of District Judge - - - — „ s.8.

Transfer of proceedings on vacation of office of Subordinate Judge - — „ s.9.

Status of District Court - - - - - - - — „ s.10.

Control over Courts - - - - - - - -

Power to appoint Additional Judicial Commissioner - - - — Act14,1891,s.4.

Local limits of jurisdiction - - - - - - - — Act 13, 1879, section16.

Original jurisdiction - - - - - - - - — „ s.17(am.Act20, 1890,s.39).

Appeals - - - - - - - - - — „ ss.18(am.Act20, 1890,s.40), 19,20.

Small Cause Court powers - - - - - - - — „ s.24(am.Act20, 1890,s.41).

District Judge deemed to be the Commissioner of the Division, for purposes of Indian Divorce Act, 1869 - - - - — „ s.27(am.Act20, 1890,s.42).

Additional Judicial Commissioner:

What jurisdiction to be exercised by - - - - — Act14,1891,s.5(1).

Withdrawal of cases from - - - - - — „ s.5(2).

Law applicable to - - - - - - - — „ s.6.

Hearing of cases by Judicial Commissioner and Additional Judicial Commissioner sitting together; procedure in case of difference of opinion - - - - - - — „ ss.8,9.

3. Miscellaneous.

Ministerial Officers - - - - - - - - — Act13,1879,sections11,12, 32to35.

Seal - - - - - - - - - - — „ s.13.

Place of sitting - - - - - - - - — „ s.14.

Judge, etc., not to try suit, etc., in which he is personally interested — „ s.23(am.Act14, 1891,s.11).

Suspension or removal of Judges, etc. - - - - — „ ss.28to31,35.

Power to make rules as to petition-writers - - - - — „ s.36.

Vacations - - - - - - - - - — „ s.38.

Certain sections of Act 13, 1879, not to apply to Honorary Munsifs - — N.&O.Act2,1896,s.13.

CIVIL COURTS—*cont.*

V.—NORTH-WESTERN PROVINCES AND OUDH.

1. Honorary Munsifs.

Definitions	N.&O.Act2,1896,s.13.
Appointment and status of, and Benches of Munsifs	„ ss.4to6,9.
Jurisdiction of, and transfer of cases to	„ ss.7,8.
Judgments and orders of ; execution of decrees of	„ ss.10,11.
Code of Civil Procedure how far applicable to	„ ss.9,11.
Certain sections of Act 13, 1879, and Act 12, 1887, not to apply to	„ s.13.
Ministerial Officers of Courts of	„ s.12.

2. Village Courts.

See VILLAGE COURTS, II.

VI.—BOMBAY PRESIDENCY.

A.—GENERALLY.

1. Preliminary.

Act 16, 1838, declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts	Act15,1874,s.5.
Act 14, 1869, applies to territories, other than Sindh, in which Code of Civil Procedure is in force	Act14,1869,section1.
Power to extend Act 14, 1869, to excepted territories	
„ create, and alter limits of, districts	„ s.3.
„ fix position of sadr station	„ s.4.
Law to be administered by Courts	Bom.Reg.4,1827,s.26.
Bom. Reg. 4, 1827, s. 26, declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts	Act15,1874,s.5.

2. District Courts.

District Court for each District ; appointment, etc., of Judge	Act 14, 1869, section 5.
Place of sitting	„ s.6.
Jurisdiction of	„ ss.7,8.
Certain Government suits to be referred to	„ 32(am.Act10, 1876,s.15;Act 15,1880,s.3; Bom.Act3, 1895,s.3).
Control and inspection of other Courts by	„ s.9.
Duties of Judge as to references, etc., to High Court, furnishing of returns, etc.	„ ss.9,10.
Seal of Judge	„ s.11.
Joint Judge ; appointment, powers, etc., of	„ ss.12,13.

3. Other Courts.

Assistant Judges :	
Appointment, etc., of	„ s.14.
Place of sitting	„ ss.15,19.
Jurisdiction of, and appeals from	„ ss.16(pt.rep.Act 8,1890),17,18.
Investment of, with powers of District Judge	„ s.19.
Seal of	s.20.

CIVIL COURTS—*cont.*

VI.—BOMBAY PRESIDENCY—*cont.*

A.—GENERALLY—*cont.*

3. Other Courts—*cont.*

Subordinate Courts:

Number of Courts	Act 14, 1869,	section 21.
Classes of Judges	„	s.24.
Appointment of Judges	„	s. 22 (am. Bom. Act 3, 1895, s.2).
Jurisdiction of, and appeals from	„	ss.22A (ins. Act 9, 1880, s.2), 24 to 27.
Place of sitting	„	s.23.
Small Cause Court powers of	„	s.28.
Seal of Judge	„	s.29.
To refer Government suits to District Judge, except in certain cases	„	s.32 (am. Act 10, 1876, s.15; Act 15, 1880, s.3; Bom. Act 3, 1895, s.3).
Commission of inquiry into misconduct of Judge; application of Act 37, 1850	„	s.33.
Suspension or removal of Judge	„	s.34.

4. Miscellaneous.

Suits relating to tenures or right to possession of land to be brought in Civil Courts and not in Revenue Courts	Act 16, 1838,	s.1(*1*) (pt. rep. Act 10, 1876).
Bar to jurisdiction of Civil Courts in certain cases. *See* LAND-REVENUE, VI.		
Procedure where Judge in whose Court suit is instituted considers he has no jurisdiction to try it, or where superior Court finds that Subordinate Court had no jurisdiction	„	ss.2 to 5.
Temporary vacancies in office of Judge	Act 14, 1869,	ss.35 to 37.
Ministerial officers	„	ss.38 to 40.
Rules of High Court as to keeping proceedings and granting copies	„	s.41.
Process fees	„	s.42.
Holidays and vacation	„	s.43.

B.—PARTICULAR COURTS.

Jagirdars, Saranjamidars and Inamdars:

Bom. Reg. 13, 1830, declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts	Act 15, 1874,	s.5.
Power of Local Government to grant sanads to Jagirdars, Saranjamidars and Inamdars, empowering them to try suits; power to withdraw sanads	Bom. Reg. 13, 1830,	sec.1, App. A.
Exclusive jurisdiction of, in the local area subject to their authority; exceptions in case of Europeans, etc.	„	s.2.
To pass written decree	„	s.2(*3*).
Appeal from decision of, when and to whom to lie	„	ss.3(*1*) to (*3*), 5.
Decree of, not to be set aside for mere irregularity	„	s.3(*4*).
Execution of, decrees of	„	s.4.

CIVIL COURTS—*cont.*

VI.—BOMBAY PRESIDENCY—*cont.*

B.—PARTICULAR COURTS—*cont.*

Agents of foreign Sovereigns, etc.:
Bom. Reg. 13, 1830, applied to agents of foreign Sovereigns, and may be applied to guardians and other persons by order of Local Government; power to withdraw application of Regulation in such cases — Act 15, 1840.
Act 15, 1840, declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts — Act 15, 1874, s.5.
Code of Civil Procedure to apply in cases under Bom. Reg. 13, 1830, or Act 15, 1840, except where the Regulation or Act inconsistent with Code — Act 14, 1882, s.7.
Authorities vested with powers under Bom. Reg. 13, 1830, and Act 15, 1840, to be Subordinate Judges for purposes of Dekkhan Agriculturists' Relief Act, 1879 — Act 17, 1879, s.2A (ins. Act 22, 1882, s.4).
Other Special Tribunals:
See ADEN, 2; DEKKHAN, ETC.; MAMLATDAR'S COURT; SINDH.

VII.—BRITISH BALUCHISTAN.

Law to be administered	Reg. 9, 1896,	section 89.
Grades and number of Courts	„	ss.3, 5(1).
Appointment of presiding officers	„	s.4.
Local limits of jurisdiction	„	s.5(2).
Ordinary jurisdiction	„	s.6.
Judicial Commissioner to be High Court	„	s.7(1).
Deputy Commissioner to be District Court	„	s.7(2).
Chief Court of Punjab and Deputy Commissioner to be High Court and District Judge, respectively, for purposes of Indian Divorce Act, 1869	„	s.7(3).
Control over Courts	„	s.8.
Distribution of business and transfer of proceedings	„	ss.71, 72.
Conferment of powers of Deputy Commissioner on Assistant Commissioner or Extra Assistant Commissioner	„	s.93.
Small Cause Court powers	„	ss.6, 94.

VIII.—LOWER BURMA.

A.—GENERALLY.

1. Preliminary.

Definitions	Act 11, 1889,	section 3.
Law to be administered	„	s.4.

2. Judicial Commissioner's Court and Courts subordinate thereto.

(*a*) *Constitution and Jurisdiction.*

Grades and number of Courts	„	ss.5 to 7.
Appointments, etc., of presiding officers of Courts	„	ss.33, 34.
Jurisdiction; local limits of	„	s.7.
„ ordinary and appellate	„	s.10.
„ power to enhance jurisdiction of Myook, Extra Assistant Commissioner or Assistant Commissioner	„	s.11.
„ power to confer Small Cause Court powers	„	ss.12, 86.

CIVIL COURTS—*cont.*

VIII.—LOWER BURMA—*cont.*

A.—GENERALLY—*cont.*

2. Judicial Commissioner's Court and Courts Subordinate thereto—*cont.*

(*a*) *Constitution and Jurisdiction*—cont.

Jurisdiction; power to authorise Court to exercise jurisdiction in local limits of jurisdiction of another Court	Act 11, 1889,	section 13.
,, power to confer powers of Deputy Commissioner on certain district officers	,,	s. 14.
Appeals; limitation of	,,	s. 18.
,, power to transfer appellate jurisdiction; application of Court Fees and Limitation Acts when such transfer made	,,	ss. 19, 32.
,, ,, confer appellate powers	,,	s. 20.
Judicial Commissioner; reference to, during progress of appeal	,,	s. 21.
,, ,, second appeal to	,,	s. 22.
,, ,, transfer to, of case before Recorder in which Recorder is personally interested	,,	s. 43.
Finality of concurrent decisions on matters of fact	,,	s. 23.
Reference or appeal to Judicial Commissioner with respect to concurrent decisions on questions of law	,,	ss. 24 to 26.
Reference of questions of law by Judicial Commissioner to Calcutta High Court	,,	s. 27.
Superintendence and control over subordinate Courts	,,	s. 8.
Power of Deputy Commissioner to distribute business	,,	s. 16.

(*b*) *Miscellaneous.*

Presiding officer of Court not to try case or appeal in which he is personally interested	,,	s. 15.
Place of sitting; seal	,,	s. 8.
Ministerial officers	,,	ss. 35, 36, 88.
Licensing of advocates by Judicial Commissioner. *See* LEGAL PRACTITIONER, 5.		
Power to confer powers *ex officio*	,,	s. 90.
Power of Judicial Commissioner to make rules—		
as to fees for copies, etc.	,,	s. 91(*1*).
as to practice, etc.	,,	s. 92.
Holidays	,,	s. 94.
Continuance of proceedings of abolished Courts	,,	s. 95.
Rules to be published in Burma Gazette	,,	s. 96.

3. Court of the Recorder of Rangoon.

See RECORDER OF RANGOON.

4. Special Court.

See SPECIAL COURT, BURMA.

B.—COURTS IN ARAKAN HILLS.

See ARAKAN HILLS, 2.

CIVIL COURTS—*cont.*

IX.—UPPER BURMA (EXCEPT THE SHAN STATES).

A.—GENERALLY.

1. Preliminary.

Definitions - - - - - - - - - Reg.1,1896,section3.
Power to exempt tracts or districts from Reg. 1, 1896 - - ,, s.1(2).

2. Constitution and Jurisdiction.

Grades of Courts; superintendence and control - - - ,, s.8.
Establishment of Courts - - - - - - ,, s.9.
Judges and additional Judges - - - - - ,, ss.17,18.
Law to be administered - - - - - - ,, s.4.
Area of jurisdiction of each Court - - - - - ,, s.9.
Ordinary original jurisdiction - - - - - ,, s.10.
Small Cause Court powers - - - - - - ,, s.11.
Judicial Commissioner to have powers of High Court - - ,, s.12(1).
Appeals - - - - - - - - - - ,, ss.12,13(am. Reg.6,1896, ss.1,2).
Special revisional powers of Judicial Commissioner - - - ,, s.14.
Power of District Court to distribute business - - - ,, s.15.
Transfer of pending cases - - - - - - ,, s.23.
Continuance of jurisdiction when business transferred to another Court - - - - - - - - - ,, s.16.

3. Miscellaneous.

Judge not to try cases, etc., in which he is personally interested - ,, s.20.
Place of sitting; seal - - - - - - - ,, ss.21,22.
Holidays - - - - - - - - - ,, s.34.
Appointment and judicial powers of Registrar - - - ,, s.33.
Control over Advocates. *See* LEGAL PRACTITIONER, 6.

B.—COURTS IN HILL TRACTS.

See CHIN HILLS, 3, 4, 7; KACHIN HILLS, 3, 4, 7.

X.—CENTRAL PROVINCES.

1. Preliminary.

Definitions - - - - - - - - - Act16,1885,section3.

2. Constitution and Jurisdiction.

Classes of Courts - - - - - - - - ,, s.4.
Judicial Commissioner: appointment of; to be highest Civil Court of appeal - - - - - ,, s.5.
,, ,, additional; appointment, jurisdiction and powers of - - - - Act19,1896,ss.2to4.
Commissioners; jurisdiction of - - - - - Act16,1885,sections6,7.
Deputy Commissioners: jurisdiction of; to be District Judges - ,, ss.6to8.
Assistant Commissioners and Tahsildars; jurisdiction of - - ,, ss.9,10.
Small Cause Court powers of Naib Tahsildars and Assistant Commissioners - - - - - - - - ,, ss.11,13.

CIVIL COURTS—*cont.*

X.—CENTRAL PROVINCES—*cont.*

2. Constitution and Jurisdiction—*cont.*

Power to invest with powers persons to be called Judicial Assistants, Civil Judges or Munsifs	Act 16, 1885, section 12.
Administrative control over Courts; transfer and distribution of business	„ ss. 12(4), 14, 15, 16 (am. Act 4, 1890).
Appeals and limitation	„ ss. 17, 18. Act 19, 1896, s. 5.

3. Miscellaneous.

Power of Judicial Commissioner to make rules as to petition-writers, seals, inspection, copies, forms, judicial powers and fining of ministerial officers, inspection of Courts, etc.	Act 16, 1885, section 19.
Books, returns, etc., to be kept and furnished by Judicial Commissioner	„ s. 20.
Place of sitting of Courts	„ s. 21.
Holidays	„ s. 23.
Power to confer powers *ex officio*	„ s. 22.
Powers exerciseable from time to time	„ s. 26.
Chief Commissioner's orders to be published in Gazette	„ s. 27.

XI.—COORG.

1. Constitution and Jurisdiction.

Grades of Courts	Reg. 2, 1881, s. 3 (am. Reg. 1, 1885, s. 3).
Appointment, etc., of presiding officers of Courts	„ ss. 4, 5 (am. Reg. 1, 1885, ss. 4, 5).
Number of subordinate Courts	„ s. 6 (am. Reg. 1, 1885, s. 6).
Original jurisdiction	„ ss. 7, 9 (am. Reg. 1, 1885, ss. 6, 7).
Judicial Commissioner to be High Court, and Commissioner to be District Court	„ s. 8.
Control over subordinate Courts; distribution of business	„ ss. 8, 15.
Power to confer certain jurisdiction on Parpatigars	„ s. 10.
Appeals	„ ss. 11 (am. Reg. 1, 1885, s. 8), 12A, 12B (ad. Reg. 1, 1885, s. 9).
„ limitation of	„ s. 13.
„ local limits of jurisdiction of Assistant Commissioners	„ s. 14.

2. Miscellaneous.

Presiding officer not to try suit or appeal in which he is personally interested	„ ss. 16, 17.
Appointment and punishment of ministerial officers	„ s. 19.
Power of Judicial Commissioner to hold his Court anywhere in or beyond Coorg	„ s. 20.

CIVIL COURTS—*cont.*

XII.—MADRAS PRESIDENCY.

A.—GENERALLY.

1. Preliminary.

Act 3, 1873, extends to the whole Presidency except the tracts under the Agents of Ganjam and Vizagapatam - - - - Act 3, 1873, section 1.

2. Constitution and Jurisdiction.

Number of District Courts, Subordinate Judges and Munsifs - „ ss.3,4.
Filling of vacancies in office of Judge or Munsif - - - „ ss.6,7,26.
Temporary discharge of duties of District Judge - - - „ s.25.
Control over Courts - - - - - - - „ s.27.
Law to be administered - - - - - - - „ s.16.
Local limits of jurisdiction - - - - - - „ ss.10,11(am. Act21,1885, s.3).
Ordinary jurisdiction - - - - - - - - „ s.12.
Appeals - - - - - - - - - „ s.13(pt.rep.Act 12,1891).
Valuation of suits, etc., for purposes of jurisdiction - - - „ s.14(rep.locally, Act7,1887,s.6).
Power to require oath or affirmation - - - - - „ s.15.
Small Cause Court powers - - - - - - „ s.28(am.Act21, 1885,s.5).

3. Miscellaneous.

Place of sitting - - - - - - - - „ s.5(am.Act21, 1885,s.2).
Seal - - - - - - - - - - „ s.9.
Vacations - - - - - - - - - „ s.30.
Judge or Munsif not to try suit, etc., in which he is personally interested - - - - - - - - - „ s.17.
Suspension or removal of Judges or Munsifs - - - „ ss.18to21.
Ministerial officers - - - - - - - - „ ss.22,23(am.Act19, 1877,s.2,Act21, 1885,s.4),24, 24A(ins.Act 19,1877,s.3).

B.—MADRAS CITY CIVIL COURT.

1. Preliminary.

Definitions - - - - - - - - - - Act7,1892,section2.

2. Constitution and Jurisdiction.

Power to establish Court; its jurisdiction - - - - „ s.3.
Appointment, etc., of Judges - - - - - - „ s.4.
Judge of Court to be *ex officio* Judge of Small Cause Court; his duties as such - - - - - - - - - „ s.5.
Powers, etc., of Judges when more than one - - - - „ s.6.
Application of law administered by High Court - - - „ s.8.
Valuation of immoveable property for purposes of jurisdiction - „ s.9.
Appeals to High Court; limitation - - - - - - „ s.15.
Saving of jurisdiction of High Court - - - - - - „ s.16.

CIVIL COURTS—*cont.*

XII.—MADRAS PRESIDENCY—*cont.*

B.—MADRAS CITY CIVIL COURT—*cont.*

3. Miscellaneous.

Ministerial officers	Act7,1892,section7.	
Process fees	,,	s.10.
Repayment of half fees on settlement before hearing	,,	s.13.
Allowance for fees in cases removed to High Court	,,	s.14.
Appointment of receivers	,,	s.11.
Execution by City Court of decree of Madras Small Cause Court	Act15,1882,s.31(am. Act7,1892, s.12).	
Seal	Act7,1892,section17.	
Holidays	,,	s.18.

C.—VILLAGE COURTS.

See PANCHAYET; VILLAGE COURTS, 1.

D.—COURTS IN CERTAIN TRACTS IN GANJAM AND VIZAGAPATAM.

See GANJAM AND VIZAGAPATAM.

E.—DISTRICT PANCHAYETS.

See PANCHAYET.

XIII.—PUNJAB.

1. Preliminary.

Definitions	Act18,1884,s.3(am.Act 13,1888,s.2).	
Constitution and alteration of divisions and districts	,,	s.18.

2. The Chief Court.

See CHIEF COURT OF THE PUNJAB.

3. Subordinate Courts.

Classes of Courts	,,	s.17.
Divisional Courts and District Courts:		
Constitution of; appointment, etc., of Judges	,,	ss.19,20.
Appointment, etc., of additional Judges	,,	s.75(ad.Act13, 1888,s.6).
Distribution of business of Divisional Court	,,	s.21.
Jurisdiction of	,,	ss.22,23.
Power to direct that Divisional Court shall be deemed to be the District Court for purposes of Indian Divorce Act, 4 of 1869	,,	s.23(*a*).
Power to confer Small Cause Court powers on District Judge	,,	s.30.
Control of, over other Courts	,,	s.33.
Transfer and distribution of business by	,,	ss.34,35.
Subordinate Judges and Munsifs:		
Number and appointment of	,,	ss.24,25.
Jurisdiction of	,,	ss.26,27.
Conferral of powers of, on Special Judges and Benches	,,	s.28.
Power to confer Small Cause Court powers on	,,	s.30.
Control of Subordinate Judge over other Courts	,,	s.38.

CIVIL COURTS—*cont.*

XIII.—PUNJAB—*cont.*

3. Subordinate Courts—*cont.*

Suspension and removal of Judges and Munsifs - - - Act 18, 1884, section 31
Ministerial officers - - - - - - - „ ss.36to38.
Appeals from decrees and orders of ; limitation - - - „ ss.39to44(am. Act13,1888, s.5).

4. Miscellaneous.

Power to confer powers *ex officio* - - - - - „ s.64.
Powers exerciseable from time to time - - - - „ s.65.
Place of sitting of Courts - - - - - - „ s.66.
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CIVIL COURTS OF SMALL CAUSES.
See SMALL CAUSE COURTS.

CIVIL JUSTICE REGULATION (ARAKAN HILLS), 1874. (*See* ARAKAN HILLS) - - - - Reg.8,1874.
„ „ „ (BRITISH BALUCHISTAN), 1896. (*See* CIVIL COURTS, VII; CIVIL PROCEDURE, 11) - - - - Reg.9,1896.
„ „ AMENDMENT REGULATION (ARAKAN HILLS), 1876. (*See* ARAKAN HILLS) - - - - Reg.5,1876.
CIVIL PROCEDURE CODE - - - - - - Act14,1882.
„ „ „ AMENDMENT ACT, 1888 - - - Act7,1888.
„ „ „ „ „ 1894 - - - Act5,1894.

CIVIL PROCEDURE.

1875. Act 20, ss. 11, 12 (Laws, Central Provinces).
1876. Reg. 3, s. 14 (Andamans).
1877. Reg. 1, ss. 28 to 30, 32 (Courts, Ajmere).
1881. Reg. 2, ss. 12A, 12B (Courts, Coorg).
1882. Act 14 (Code of Civil Procedure).
1884. Act 18, ss. 16, 70 (Courts, Punjab).
1886. Act 20, s. 6 (Laws, Upper Burma).
1887. Act 9, ss. 17, 34 (Provincial Courts of Small Causes).
1889. Act 11, s. 17 (Courts, Lower Burma).
1890. Reg. 1, s. 3 (Laws, British Baluchistan).
1894. Reg. 1, s. 3 (Laws, Angul).
1896. Reg. 1, ss. 5 to 7, 24, 30, 31, 35, 37, 38 (Civil Justice, Upper Burma).
„ Reg. 9 (Civil Justice, British Baluchistan).

1. Preliminary.
2. Suits in general.
3. Incidental Proceedings.
4. Suits in particular cases.
5. Provisional Remedies.
6. Special Proceedings.
7. Appeals.
8. Reference, Revision and Review.
9. Special Rules relating to the Chartered High Courts.
10. Miscellaneous Provisions.
11. Special and Local.

1. Preliminary.

Definitions - - - - - - - - - Act 14, 1882, section 2.
Act 14, 1882 (Code of Civil Procedure), not to extend the pecuniary limit of the jurisdiction of any Court - - - - „ s.6.

2. Suits in general.

Jurisdiction of the Courts - - - - - - „ ss.10to12.
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When foreign judgment no bar to suit in British India - - „ s.14(am.Act7, 1888,s.5).

CIVIL PROCEDURE—*cont.*

2. Suits in general—*cont.*

Place of suing - - - - - - - Act 14, 1882, ss. 15, 16, 16A (ins. Act 7, 1888 s. 6), 17 (am. Act 7, 1888, s. 7), 18 to 25, 638.

Parties and their appearances, applications and acts:

General provisions - - - - - - „ ss. 26, 27 (am. Act 7, 1888, s. 8), 28 to 35.

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The frame of the suit - - - - - - - „ ss. 42 to 47.

Institution of suits:

Plaint generally - - - - - - „ ss. 48 to 53 (am. Act 7, 1888, s. 9), 54 to 58, 638.

„ in suit by Secretary of State in Council - - - „ s. 418.

„ in suit against Secretary of State in Council or public officer - - - - - - „ s. 424 (am. Act 7, 1888, s. 36).

„ in suit by Corporation or Company - - - „ s. 435.

„ in interpleader suit - - - - - „ s. 471.

„ forms of - - - - - - - „ Sch. IV, Forms 1 to 113.

„ concise statements - - - - - „ s. 58, Sch. IV, Form 114.

Register of suits - - - - - - „ ss. 58, 245, 426, Sch. IV, Form 116.

Production, etc., of documents - - - - - „ ss. 59 to 63.

Processes:

Summons; issue of - - - - - - „ ss. 64 to 71.

„ forms of - - - - - - „ Sch. IV, Forms 117 to 119.

„ service of - - - - - - „ ss. 72 to 90 (ss. 72, 82, 90, am. Act 7, 1888, ss. 10 to 12), Sch. IV, Forms 120, 121.

„ „ on Corporation or Company - - „ s. 436.

„ substitution of letter for - - - - „ ss. 91, 92.

Cost of service - - - - - - - „ s. 93.

Service of notices and orders - - - - - „ s. 94.

Payment of postage on - - - - - - „ s. 95.

Appearance of parties, and consequence of non-appearance - - „ ss. 96 to 109.

Written statements and set-off - - - - - „ ss. 110 to 116.

„ „ forms of - - - - - „ Sch. IV, Forms 29, 88, 107, 122.

CIVIL PROCEDURE—*cont.*

2. Suits in general—*cont.*

Examination of parties by the Court - - - - Act 14, 1882, ss. 117 to 120, 638.
Discovery, admission, inspection, production, impounding and return of documents - - - - - - - - „ ss. 121 to 141, 141A, 142, 142A, 143 to 145 (ss. 141, 142, 143, am., and ss. 141A, 142A, ins., by Act 7, 1888, ss. 13, 14).
Form of interrogatories - - - - - - - „ Sch. IV, Form 123.
„ notice to produce documents - - - - - „ „ „ 124.
Settlement of issues - - - - - - - - „ ss. 146 to 151.
Disposal of suit at first hearing - - - - - „ ss. 152 to 155.
Adjournments - - - - - - - - „ ss. 156 to 158.
Summoning and attendance of witnesses - - - - „ ss. 159 to 178 (ss. 159, 168, am. Act 7, 1888, ss. 15, 16), 638, 650, Sch. IV, Forms 125, 126.
Hearing of suit and examination of witnesses - - - „ ss. 179, 180 (am. Act 7, 1895, s. 2), 181 to 185, 185A (ins. Act 7, 1888, s. 17), 186 to 193 (ss. 191, 193, am. Act 7, 1888, ss. 18, 19), 638, 650.
Affidavits - - - - - - - - - „ ss. 194 to 197.
Judgment and decree - - - - - - „ ss. 198 to 217 (ss. 209, 216, am. Act 7, 1888, ss. 20, 21; s. 213, pt. rep. Act 4, 1886, s. 2), s. 638, Sch. IV, Forms 127 to 133 (Form 129 am. Act 4, 1882, s. 87).
Costs - - - - - - - - - „ ss. 218 to 222.
„ security for - - - - - - - - „ ss. 380 (am. Act 7, 1885, s. 5), 381, 382.
Execution of decrees :
Court by which decree may be executed - - - - „ ss. 223 to 229 (ss. 223, 229, am. Act 7, 1888, ss. 22, 23), 229A (ins. Act 7, 1888, s. 24), 229B (am. Act 7, 1888, s. 39), Sch. IV, Form 134.
Application for execution - - - - - „ ss. 230 (pt. rep. Act 7, 1888, s. 25), 231 to 238.

CIVIL PROCEDURE—*cont.*]

2. Suits in general—*cont.*

Execution of decrees—*cont.*:

Staying execution - - - - - - Act 14, 1882, ss.239to243.

Questions to be decided by Court executing decree - - „ s.244(am.Act7, 1888,s.26).

Mode of executing decrees - - - - - „ ss.245,245A,245B (ins.Act6,1888,s. 2),246to265(s. 250,am.Act6, 1888,s.3;s.258, am.Act7,1888, s.27),Sch.IV, Forms135to137 (Form137,am. Act7,1888,s.64).

Attachment of property - - - - - - „ s.266(am.Act7, 1888,s.28),ss.267 to285,Sch.,Forms 137to144.

Sale and delivery of property:

General rules - - - - - - „ ss.286to295(s. 289pt.rep.Act7, 1888,s.29),Sch. IV,Form145.

Rules as to moveable property - - - - „ ss.296to303,Sch. IV,Forms146to 148.

„ „ immoveable property - - - - „ ss.304to327(s. 310A ins.&s. 315am.Act5, 1894,ss.2,3; s.320am.Act7, 1888,s.30),Sch. IV,Forms150 to152.

Resistance to execution - - - - - - „ ss.328to335,Sch. IV,Form153.

Arrest and imprisonment - - - - - - „ ss.336to343(s. 337A ins.Act6, 1888,s.4),Sch. IV,Form154.

Ss. 223 to 343 applied to all civil processes for arrest, sale or payment - - - - - - - „ s.649.

Insolvent judgment-debtors - - - - - - „ ss.344to360A, 370to372A(ss. 349,354,360am. &s.360A ins. Act7,1888,s.31;s. 360pt.rep.Act14, 1885,s.3;s.372A ad.Act7,1888, s.32).

CIVIL PROCEDURE—*cont.*

3. Incidental Proceedings.

Death, marriage and insolvency of parties - - - - Act 14, 1882, ss. 361 to 363, 365 to 372A (ss. 363, 365, 368 am. and s. 372A ad. Act 7, 1888, s. 32), s. 582 (am. Act 7, 1888, s. 53).

Withdrawal and adjustment of suits - - - - „ ss. 373 to 375, 375A (ad. Act 6, 1892, s. 2).

Payment into Court - - - - - - - - „ ss. 376 to 379, Sch. IV, Form 155.

Requiring security for costs - - - - - - - „ ss. 380 (am. Act 7, 1888, s. 5), 381, 382.

Commissions to examine witnesses - - - - - „ ss. 383 to 391 (s. 386 am. Act 7, 1888, s. 34), Sch. IV, Form 156.

„ for local investigations - - - - - „ ss. 392, 393, Sch. IV, Form 157.

„ to examine accounts - - - - - „ ss. 394, 395, Sch. IV, Form 157.

„ to make partition - - - - - - „ s. 396.

„ expenses; powers of, and appearance of witnesses before Commissioner - - - - - „ ss. 397 to 400.

4. Suits in particular cases.

Suits by paupers - - - - - - - - „ ss. 401 to 415, 638.

„ by or against Government or public officers - - - „ ss. 416 to 429 (ss. 419, 424 am. Act 7, 1888, ss. 35, 36).

„ by aliens and by or against foreign or native rulers - - „ ss. 430 to 434 (ss. 432 to 434 am. Act 7, 1888, ss. 37 to 39).

„ by or against Corporations or Companies - - - „ ss. 435, 436.

„ „ trustees, executors or administrators - - „ ss. 437 to 439.

„ „ minors or persons of unsound mind - - „ ss. 440 to 464 (ss. 440, 443, 446, 461, 464 am. Act 8, 1890, s. 53; s. 443 pt. rep. Act 8, 1890, s. 2).

„ „ wards of Court of Wards. *See* COURT OF WARDS, B, 3; C, 3; D, 2, 3; E, 3; F, 3.

„ „ military men - - - - - „ ss. 465 to 468 (s. 468 pt. rep. Act 13, 1889).

Interpleader - - - - - - - - - „ ss. 470 to 476, Sch. IV, Form 104.

CIVIL PROCEDURE—*cont.*

5. Provisional Remedies.

Arrest before judgment - - - - - - Act 14, 1882, ss. 477 to 482, Sch. IV, Forms 158, 159.

Attachment before judgment - - - - - „ ss. 483 to 490 (s. 484 am. Act 12, 1891), Sch. IV, Forms 142, 160 to 165.

Compensation for improper arrest or attachment - - - „ s. 491.

Temporary injunctions - - - - - - „ ss. 492 to 497, Sch. IV, Forms 166, 167.

Interlocutory orders - - - - - - - „ ss. 498 to 502.

Appointment of Receivers - - - - - „ ss. 503 to 505 (ss. 503, 504 am. Act 7. 1888, ss. 42, 43), Sch. IV, Forms 168, 169.

6. Special Proceedings.

Reference to arbitration - - - - - - „ ss. 506 to 526, Sch. IV, Forms 170, 171.

Proceedings on agreement of parties - - - - - „ ss. 527 to 531.

Summary procedure on negotiable instruments - - - „ ss. 532 to 538.

Suits by Advocate General relating to public charities - - „ s. 539 (am. Act 7, 1888, s. 44).

7. Appeals.

Appeals from original decrees:

To lie in all cases unless expressly barred - - - „ s. 540 (am. Act 7, 1888, s. 45).

Form of, etc. - - - - - - - „ ss. 541 to 544, Sch. IV, Form 173.

Staying and executing decree under appeal - - - - „ ss. 545 to 547.

Procedure - - - - - - - - „ ss. 548 to 562, 564 to 570 (ss. 549, 551, 552, 558, 561, 562, 565, 566 am. Act 7, 1888, ss. 46 to 49, 51, 52; s. 568 am. Act 12, 1891), Sch. IV, Forms 174, 175.

Judgment in appeal - - - - - - „ ss. 571 to 578 (s. 578 am. Act 7, 1887, s. 11).

Decree in appeal - - - - - - „ ss. 579 to 582, 582A, 583, 638 (s. 582 am. Act 7, 1888, s. 53; s. 582A ad. Act 6, 1892, s. 3), Sch. IV, Form 176.

CIVIL PROCEDURE—*cont.*

7. Appeals—*cont.*

Appeal from appellate decree :

When to lie - - - - - - - - Act 14, 1882, ss.584(am. Act7,1888,s.54), 586.

Procedure ; application of ss. 541 to 583 - - - „ s.587,Sch.IV, Form177.

Appeals from orders :

When to lie - - - - - - - - „ ss.588(am.Act7, 1888,s.55),591.

To what Court to lie - - - - - - - „ ss.589(pt.rep.Act7, 1888,s.56;am.Act 10,1888,s.3).

Procedure ; application of ss. 541 to 583 - - - - „ s.590.

Pauper appeals - - - - - - - - „ ss.592,593.

Appeals to the Queen in Council - - - - - „ ss.594to598,600 to616(s.601pt.rep. &s.610am.Act7, 1888,ss.57,58).

8. Reference, Revision and Review.

Reference to, and revision by, High Court - - - - - „ ss.617to622.

Review of judgment - - - - - - - - „ ss.623to630(s.626 am.Act7,1888,s. 59),Sch.IV, Form178.

9. Special Rules relating to the Chartered High Courts.

Act 14, 1882 (Code of Civil Procedure), to apply to such Courts, except as specially provided - - - - - - „ s.632(am.Act13, 1895,s.1).

Certain sections of Code not to apply to Court - - - - „ s.638.

Court to take evidence and record judgments and orders by its own rules - - - - - - - - - „ s.633.

Execution of decree before ascertainment of costs - - - „ s.634.

Unauthorised persons not to address the Court - - - Saving of Court's power to make rules concerning advocates, vakils and attorneys - - - - - - „ s.635.

Who may serve process of Court - - - - - - „ s.636.

Non-judicial acts may be done by Registrar - - - - „ s.637.

Power of Court to frame forms and make rules for Court - - „ s.639.

10. Miscellaneous Provisions.

Exemptions from personal appearance - - - - „ s.640(am.Act6, 1888,s.6),s.641.

„ „ arrest under civil process - - - - „ s.642(am.Act6, 1888,s.7).

Procedure of Civil Court in cases of contempt, etc. - - - „ s.643.

Forms - - - - - - - - - „ ss.639,644,Sch.IV.

Language of subordinate Courts - - - - - „ s.645.

Assessors in causes of salvage, etc. - - - - - „ s.645A.

Power of Registrar of Small Cause Court to state case for opinion of Judge - - - - - - - - - „ s.646.

CIVIL PROCEDURE—*cont.*

10. Miscellaneous Provisions—*cont.*

Power to refer to High Court question whether suit is cognizable by Court of Small Causes	Act 14, 1882,	s.646A(ins. Act7,1888,s.60).
Power of District Court to submit for revision proceedings had under mistake as to jurisdiction in small causes	„	s.646B(ins.Act7, 1888,s.60).
Application of Act 14, 1882, to proceedings in Civil Court other than suits and appeals	„	s.647(am.Act6, 1892,s.4).
Procedure when person to be arrested or property to be attached is outside district	„	s.648(am.Act7, 1888,s.61).
Service in British India of summonses issued by certain Civil or Revenue Courts situate beyond British India	„	s.650A(am.Act7, 1888,s.62).
Power of High Court to make subsidiary rules	„	ss.639,652(am. Act7,1888,s.63; Act13,1895,s.2).
Release of judgment-debtor on ground of illness	„	s.653(ad.Act6, 1888,s.8).

11. Special and Local.

Act 14, 1882 (Code of Civil Procedure), does not extend *proprio vigore* to Scheduled Districts	„	s.1.
Code not to affect—		
Lower Burma, Central Provinces, Oudh or Punjab Courts Acts, or laws passed by Local Councils prescribing special procedure for suits between landholders and their tenants or agents, or providing for partition of immoveable property	„	s.4.
Power of Local Government to declare whether the Commissioner or Deputy Commissioner having jurisdiction under such Acts shall be deemed to be the District Court for purposes of Code		
Power of Local Government to modify Code in its application to Revenue Courts	„	s.4A(ins.Act7, 1888,s.3).
What portions of Code extend to—		
Provincial Courts of Small Causes	„	s.5,Sch.II(am. Act10,1888,s.1). Act9,1887,s.17(pt.rep.Act. 12,1891),s.34.
Presidency „ „ „	Act14,1882,s.8(am.Act15, 1882,s.3;pt.rep. Act7,1888,s.4; *but see repeal of Act 15,1882, s.23, by Act1,1895, s.10*).	
Code not to affect jurisdiction or procedure of—		
Village Munsifs or Village Panchayats in Madras Presidency	„	s.6(pt.rep.Acts8of 1887,13of1889; am.Act12,1891).
Recorder of Rangoon sitting as an Insolvent Court in Rangoon or Moulmain		
Certain Bombay laws saved by Code	„	s.7,Sch.III.
Code declared in force—		
in the Andaman and Nicobar Islands (with modifications)	Reg.3,1876,s.14(am.Reg. 1,1884,s.4).	
in Angul and the Khondmals	Reg.1,1894,s.3.	

CIVIL PROCEDURE—*cont.*

11. Special and Local—*cont.*

Code modified—
in Central Provinces - - - - - - Act20,1875,ss.11,12(ad. Act2,1879,s.2).
in the Punjab - - - - - - - Act18,1884,ss.16,70(am. Act16,1887,s.3).

Ajmere :
Certain persons deemed to be "recognized agents," in addition to those mentioned in s. 37 of Code - - - - Reg.1,1877,s.28.
Mode of recording evidence in suits between landlord and tenant - - - - - - - „ s.29.
Certain property exempted from attachment and sale in execution of decree - - - - - - - - „ s.30.
Code how far to apply to - - - - - - „ s.32.

British Baluchistan :
Certain portions of Code declared in force in - - - Reg.1,1890,s.3.
Saving of enactments - - - - - - Reg.9,1896,section9.
Prior adjudications and pending suits - - - - „ ss.10,11.
Appearances, applications and acts by parties - - - „ ss.12to14.
Exemptions from personal appearance - - - - „ ss.60,61.
Institution of suits - - - - - - „ ss.15to18.
Service of summons on defendants - - - - „ ss.19to29.
Consequences of non-appearance of parties - - - „ ss.30to38.
Fixing issues, and preparations for the hearing - - - „ ss.39to42.
The hearing; taking of evidence - - - - „ ss.43to45.
Filing of documents admitted in evidence - - - „ s.62.
Mode of admission in evidence of entry in book- - - „ s.63.
Judgments - - - - - - - - „ ss.46to53.
Amount of interest allowable - - - - - „ s.50.
Injunctions - - - - - - - - „ ss.54to57.
Power to add parties - - - - - - „ s.58.
Certain suits triable with the aid of assessors - - - „ s.59.
Execution of decrees - - - - - - „ ss.64to66.
Appeal, revision and review - - - - - „ ss.67to70,73.
Reference to arbitration - - - - - - „ ss.74to87.
Disposal of pending cases - - - - - „ s.88.
Power of Judicial Commissioner to make rules - - - „ s.90.
Procedure prescribed for suits to be followed in other proceedings „ s.91.
Mere irregularity not to invalidate proceedings - - - „ s.92.
References in Indian Limitation Act, 1877, to Code of Civil Procedure to be read as applying to Reg. 9, 1896 - - „ s.95.

Lower Burma (except Arakan Hills) :
Language of plaints and of record of evidence in Judicial Commissioner's Court and Courts subordinate thereto - - Act11,1889,s.17.

Upper Burma (except the Shan States) :
Code declared in force in town of Mandalay - - - Act20,1886,s.6.
Code extended to - - - - - - Reg.1,1896,section6.
Modification of s. 37 of Code - - - - - „ s.37.
Certain suits triable with the aid of assessors - - - „ s.5.
Saving of prior proceedings - - - - - „ s.7.
Execution of, and appeals from, past decrees and orders - „ s.24.

CIVIL PROCEDURE—*cont.*

11. Special and Local—*cont.*

Upper Burma (except the Shan States)—*cont.*:

Power of Judicial Commissioner to make rules as to process fees, expenses of witnesses and assessors, copies, translations, petition-writers and judicial powers of ministerial officers - } Reg.1,1896,secs.30,38.

Judicial Commissioner to comply with requisitions of Local Government for records, etc. - - - - - - } „ s.31.

Language of Courts - - - - - - - „ ss.30(*d*),35.

Coorg:

Ss. 585 and 586 of Code modified in - - - - { Reg.2,1881,secs.12A,12B (ad.Reg.1,1885,s.9).

Practice in granting Probates and Letters of Administration. *See* ADMINISTRATION (INDIAN LAW), 2.

Special procedure under laws relating to landlord and tenant:

Assam. *See* LANDLORD AND TENANT, II, A, 3.
Bengal. „ „ „ „ III, A, 6; B.
Central Provinces. „ „ „ „ V, 3.
Madras. „ „ „ „ VII, 3.
N.-W. Provinces. „ „ „ „ IX, 3.
Oudh. „ „ „ „ X, 3.
Punjab. „ „ „ „ XI, A, 6.

Special procedure under laws relating to land-revenue:

Ajmere. *See* LAND-REVENUE, II, 6.
Assam. „ „ III, A, 5.
Bengal. „ „ IV, 2, 3 (*a*), (*b*).
Bombay Presidency. „ „ VII, A, 3 (*b*), 6.
„ City. „ „ VIII, 3, 5.
Lower Burma. „ „ IX, 4.
Upper „ „ „ X, 1.
Central Provinces. „ „ XI, 2, 3 (*d*).
Coorg. „ „ XII, 6.
Madras Presidency. „ „ XIII, 4 (*b*).
„ City. „ „ XIV.
N.-W Provinces. „ „ XV, 5.
Oudh. „ „ XVI, 3, 5.
Punjab. „ „ XVII, 2.

For other special and local laws see ADEN, 2; ARAKAN HILLS, 2; BENARES, 1; CENTRAL PROVINCES, 2; CHIEF COURT OF THE PUNJAB; CHITTAGONG HILL TRACTS; CHOTA NAGPUR; CIVIL COURTS, V, 1; VI, B; DEKKHAN, ETC.; DEKKHAN AGRICULTURIST, 2, 5; EASTERN DWARS; GANJAM AND VIZAGAPATAM; INDIGO; LUNATIC, 2, 3; MAMLATDAR'S COURT; MATRIMONIAL CAUSES, A, 3; B, 2; C; MERCHANT SHIPPING, 3 (*a*); MORTGAGE, 1; OUDH, 2; PANCHAYET; PARTITION; PUBLIC OFFICER; PUBLIC WORKS; RAILWAY, 5 (*a*); RECORDER OF RANGOON; SANTHAL PARGANAS; SCHEDULED DISTRICTS; SINDH; SMALL CAUSE COURTS, A, 2; B, 3, 5; SPECIAL COURT, BURMA; VILLAGE, F, 1 (*b*); VILLAGE COURTS, 1 A; WASTE LAND.

CIVIL SERVICE OF INDIA. *See* GOVERNMENT OF INDIA, 2 (*d*).

CLERGY. *See* BISHOPS AND CLERGY.

CLOSING OF RAILWAY. *See* RAILWAY, 4.

CLOSING OF TRAMWAY. *See* TRAMWAY, 6; TRAMWAYS, A, 6, 7.

COAL. *See* MINES AND MINERALS.

COASTING TRADE.

Freedom of foreign ships to engage in - - - - 16-7V.c.107,s.229. Act5,1850.

Act 5, 1850, declared in force throughout British India, except as regards the Scheduled Districts - - - - - Act15,1874,s.3.

Power to regulate - - - - - - - - 57-8V.c.60,s.736.

Regulation of. *See* CUSTOMS (SEA), 2 (*d*).

Customs duties on what articles leviable. *See* CUSTOMS (SEA), 1.

COASTING VESSELS, BOMBAY. *See* MERCHANT SHIPPING, 4.

COAST-LIGHTS ACT (BURMA), 1879. (*See* MERCHANT SHIPPING, 10) - Act9,1879.

COCOS ISLAND. *See* LITTLE COCOS ISLAND.

CODE OF CIVIL PROCEDURE. (*See* CIVIL PROCEDURE) - - Act14,1882.

CODE OF CRIMINAL PROCEDURE, 1882. [*See* CRIMINAL PROCEDURE (INDIAN)] - - - - - - - - Act10,1882.

COFFEE-STEALING PREVENTION ACT (MADRAS), 1878 - - - Mad.Act8,1878.

COFFEE.

Mad. Act 8, 1878[1], may be extended to any place in Madras Presidency by notification - - - - - - - - Mad.Act8,1878,sec.2.

Definitions - - - - - - - - - „ s.3.

Not to be purchased, taken in barter, exchanged or received—

from labourer employed on coffee-estate - - - - „ s.4.

from other person, unless particulars immediately recorded; exception as to coffee purchased, etc., for *bonâ fide* consumption; additional particulars to be recorded when coffee purchased, etc., from carrier - - - - - - „ ss.5,7.

Inspection of such records - - - - - - - „ s.6.

Penalty for breach of ss. 4 to 7 - - - - - - „ s.8.

„ on labourer found in possession of green coffee for which he cannot account - - - - - - - „ ss.9,13.

Not to be carried from coffee-estate, etc., without written permission of owner or his agent; penalty - - - - - - „ s.10.

Not to be gathered or removed between sunset and sunrise; penalty „ ss.11,12.

Disposal of fines; rewards to informers - - - - „ s.14.

COFFEE-HOUSE. *See* PLACES OF PUBLIC RESORT, ETC.

COGNIZABLE CASE and COGNIZABLE OFFENCE defined. *See* WORDS AND PHRASES.

COINAGE ACT (BHOPAL), 1897. } (*See* COINAGE, II.) - - - Act11,1897.

„ „ (INDIAN), 1870. } - - - Act23,1870.

„ AND PAPER CURRENCY ACT (INDIAN), 1893. (*See* PAPER CURRENCY) - - - - - - - Act8,1893.

„ (COLONIAL OFFENCES) ACT, 1853.[2] (*See* COINAGE, I) - 16-7V.c.48.

COINAGE.

I.—ENGLISH LAW.

Extension to British Possessions of Acts 2 & 3 Will. 4, c. 34, and 7 Will. 4 and 1 Vict. c. 90, as to offences in relation to coin, except where other provisions are made by Local Legislatures - - 16-7V.c.48.

[1] Mad. Act 8, 1878, has been extended to Coorg by notification under the Scheduled Districts Act, 1874.
[2] This short title was given by 59 & 60 Vict. c. 14.

COINAGE—*cont.*

II.—INDIAN LAW.

1. Coins of Government of India.

What coins may be coined at Mint; standard, weight and fineness of coins; remedy allowed - Act23,1870,ss.4to10,28.
Devices on coins coined under Act 23, 1870 - „ ss.10,11,28.
Legal tender; what coins to be - „ ss.12to15,28.
Cutting, etc., diminished, counterfeit or called-in coin - „ ss.16,17,28.
Bar to proceedings for acts done under Act in good faith - „ s.18(pt.rep.Act12, 1876).
Power to give directions and make rules for working of Act 23, 1870 - „ ss.27,28.
Act 23, 1870, declared in force in—
the Santhál Parganas - Reg.3,1872,s.3(am.Reg. 3,1881).
the Arakan Hill District - Reg.9,1874,s.3.
Upper Burma generally (except the Shan States) - Act20,1886,s.6.
British Baluchistan - Reg.1,1890,s.3.
Angul and the Khondmals - Reg.1,1894,s.3.
Power to supply rupees to Bhopal, to be legal tender there - Act11,1897,s.2.
Act 11, 1897, to continue in force for six months from date of first supply of rupees - „ s.3.

2. Coins of Native States.

Coinage of money for Native States at Mint in British India; power to declare such money to be legal tender in British India - Act9,1876.

3. Metal Tokens.

Definition of "issue" - Act1,1889,s.2.
Prohibition of making by private persons of pieces of metal to be used as money - „ s.3.
Penalty for unlawful making, issue or possession of such pieces; cognizance of offences - „ ss.4,5.
Penalty for importation of such pieces - „ s.6.
Search for such pieces - „ s.7.
Prohibition of receipt by Local Authorities or Railway Administrations as money of metal which is not coin - „ s.8.

4. Miscellaneous.

Prohibition of importation of counterfeit coin or coin not of established standard - Act8,1878,s.18(*b*).
Offences relating to coin. *See* CRIMINAL LAW (INDIAN), 10.

COLLECTION OF LAND-REVENUE.
Beyond district in which it accrued. *See* LAND-REVENUE, I.
In Ajmere. *See* LAND-REVENUE, II, 4.
„ Assam. „ „ III, A, 4 (*a*); III, B, 3.
„ Bengal Districts. „ „ IV, 4.
„ Calcutta. „ „ V.
„ Bombay Presidency. „ „ VII, A, 5 (*a*); B; C, 3.
„ Bombay City. „ „ VIII, 3.
„ Lower Burma. „ „ IX, 3.
„ Upper Burma. „ „ X, 3.
„ Central Provinces. „ „ XI, 4 (*a*).

COLLECTION OF LAND-REVENUE—*cont.*
In Coorg. *See* LAND-REVENUE, XII, 2.
„ Madras Presidency. „ „ XIII, 4 (*a*).
„ „ City. „ „ XIV.
„ N.-W. Provinces. „ „ XV, 4 (*a*).
„ Oudh. „ „ XVI, 4 (*a*).
„ Punjab. „ „ XVII, 4 (*a*).

COLLECTOR.
Defined. *See* WORDS AND PHRASES.
Bengal Districts. *See* LAND-REVENUE, IV, 2.
Calcutta. „ „ V.
Bombay Presidency. „ „ VII, A, 2.
„ City. „ „ VIII, 2.
Madras Presidency. „ „ XIII, 2.
N.-W Provinces „ „ XV, 2.

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COLONIAL ATTORNEYS RELIEF ACT - - - (*See* SOLICITOR) 20-1V.c.39.
„ „ „ „ 1874[1] - - (*See* SOLICITOR) 37-8V.c.41
„ „ „ „ AMENDMENT ACT, 1884. (*See* SOLICITOR) 47-8V.c.24

COLONIAL BISHOPS ACT, 1852. [1] (*See* BISHOPS AND CLERGY) - 15-6V.c.52.
„ „ „ 1853. [1] (*See* BISHOPS AND CLERGY) - 16-7V.c.49.
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1870. 33-4 V. c. 90, ss. 14 to 24, 27, 30 (Foreign Enlistment).
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1894. 57-8 V. c. 39, ss. 3, 4 (Prize Courts).

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„ prize (*and see* PRIZE) - - - - - 53-4V.c.27,s.2(*b*).
„ naval discipline, etc. - - - - - „ s.2(*d*).
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[1] This short title was given by 59 & 60 Vict. c. 14.

COLONIAL COURT OF ADMIRALTY AND VICE-ADMIRALTY COURT—*cont.*

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„ „ „ „ of Vice-Admiralty Courts	57-8 V. c. 39, s. 4.
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„ „ „ „ in slave trade matters	53-4 V. c. 27, s. 13 (*1*) (*2*).
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„ „ „ „ in slave trade matters	53-4 V. c. 27, ss. 6, 13 (*3*).
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For taking evidence. *See* EVIDENCE, I, 1.

Under Code of Civil Procedure, to examine witnesses, etc. *See* CIVIL PROCEDURE, 3.

[1] This short title was given by 59 & 60 Vict. c. 14.

COMMISSION—*cont.*

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1876. Act 11, s. 67 (Presidency Banks).
1882. Act 6 (Companies).
„ Act 14, ss. 435, 436 (Suits).
1883. 46-7 V. c. 30 (Colonial Registers).
1886. Act 20, s. 6 (Laws, Upper Burma).
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3. Other Companies.
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1. Preliminary.

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2. Companies under the Indian Companies Act, 1882.

(*a*) *Constitution, Management, etc.*

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[1] This Act is indexed because it is published in the Collection of Statutes relating to India.

COMPANY—*cont.*

2. Companies under the Indian Companies Act, 1882—*cont.*

(*a*) *Constitution, Management, etc.*—cont.

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2. Companies under the Indian Companies Act, 1882—*cont*

(*b*) *Winding-up*—cont.

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[1] Acts 19, 1857, and 7, 1860, were repealed by Act 10, 1866, s. 219.

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COMPANY—*cont.*

3. Other Companies—*cont.*

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CONTRACT ACT (INDIAN), 1872 - - - - - - Act 9, 1872.

CONTRACT.

1. Preliminary.

Power of Governor General in Council or Local Government to extend Act 13, 1859, to any place - - - - Act13,1859,s.5.

Act 9, 1872 (the Indian Contract Act, 1872)—

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the Arakan Hill District - - - - - Reg.9,1874,s.3.

the Town of Mandalay - - - - - Act20,1886,s.6.

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"Consent," "free consent," "coercion," "undue influence" "fraud" and "misrepresentation" defined - - - Act9,1872,sections13to18.

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„ „ „ Indian Limitation Act, 1877, not to affect Act 9, 1872, s. 25 - - - - Act15,1877,s.2.

„ „ voidable - - - - - - Act9,1872,ss.19,21,22, 55,58.

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3. Performance of the Contract.

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By whom contracts must be performed - - - - „ ss.40to45(s.43am. Act12,1891).
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5. Particular Contracts.

(*a*) *Sale of goods.*

"Goods" and "sale" defined - - - - - Act9,1872,sections76,77.
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CONTRACT—*cont.*

5. Particular Contracts—*cont.*

(*b*) *Indemnity and Guarantee*—cont.

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CONVEYANCING AND LAW OF PROPERTY.

1. English Law.

Persons entitled to use, etc., deemed seised - - - - 27H.8,c.10,ss.1to3. [1]
Grant of land, reversion or remainder, good without attornment of tenant; saving for payment of rent - - - - 4-5A.c.3,ss.9,10.[1]
Declaration or creation of trust of land to be in writing and signed, or by will - - - - - - - - - 29C.2,c.3,s.7[1] (rep. locally, Act12,1882).
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2. Indian Law as to cases governed by English Law.

Act 31, 1854, declared in force throughout British India, except as regards the Scheduled Districts - - - Act15,1874,s.3.
„ „ applies only to cases governed by English law - - Act31,1854,section18.
Conveyance by tenant-in-tail, or other owner of estate of inheritance less than estate in fee-simple - - - - „ ss.2,4.
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See also INFANT.

COORG.

Is a Scheduled District - - - - - - - - Act14,1874,s.1,Sch.I,Pt. VII. Act15,1874,s.2,Sch.VI, Pt.VII.

For further provisions enacted specially for Coorg, see the appropriate heads.

COPYRIGHT Act, 1842[2] - - - - - - - 5-6V.c.45.

COPYRIGHT.

1833. 3-4 W. 4, c. 15[3] (Drama).
1842. 5-6 V. c. 45[3] (Copyright Act).
1844. 7-8 V. c. 12[4] (International).
1847. 10-1 V. c. 95[3] (Colonial).
„ Act 20 (Indian).
1852. 15-6 V. c. 12[4] (International).
1862. 25-6 V. c. 68[3][4] (Fine Arts).
1867. Act 25, ss. 9 to 11, 18 (Printing Presses and Books).
1872. Reg. 3, 1872, s. 3 (Laws, Santhál Parganas).
1874. Act 15, s. 3 (Laws Local Extent).
1876. 39-40 V. c. 36, s. 152 (Foreign Reprints).
1878. Act 8, s. 18 (Sea Customs).
1886. 49-50 V. c. 33[4] (International and Colonial).
„ Act 20, s. 6 (Laws, Upper Burma).

1. Books, Magazines, Maps, etc.
2. Music and the Drama.
3. Fine Arts.
4. British Possessions.
5. International.

1. Books, Magazines, Maps, etc.

(*a*) *Period of and Property in Copyright.*

Period of copyright - - - - - - - - 5-6V.c.45,s.3. Act20,1847,s.1.

[1] These sections are indexed because they are published in the Collection of Statutes relating to India.
[2] This short title was given by 59 & 60 Vict.c.14.
[3] Collective title ("Copyright Acts——") given by 59 & 60 Vict. c. 14.
[4] Collective title ("International Copyright Acts") given by 59 & 60 Vict. c. 14.

COPYRIGHT—*cont.*

1. Books, Magazines, Maps, etc.—*cont.*

(*a*) *Period of and Property in Copyright*—cont.

Property in copyright—

in books published in author's lifetime or after his death - 5-6V.c.45,s.3. Act20,1847,s. 1.

in encyclopædias, periodical works, etc. - - - 5-6V.c.45,s.18. Act20,1847,s.10.

personal property, and transmissible - - - - 5-6V.c.45,s.25. Act20,1847,s.1.

Extension of copyright existing at passing of Act, except in certain cases - - - - - - - - - 5-6V.c.45,s.4.

License by Judicial Committee or Governor General in Council for re-publication, in case of refusal to re-publish after death of author „ s.5. Act20,1847,s.2.

(*b*) *Registration.*

Register of proprietors of copyright; omission to register - - 5-6V.c.45,ss.11to13,24. Act20,1847,ss.3,5,6,14, Sch.

Inspection and copies of entries; false entries, etc. - - - 5-6V.c.45,ss.11,12. Act20,1847,s.3.

Encyclopædias, periodical works, etc. - - - - 5-6V.c.45,s.19. Act20,1847,s.11.

Assignment by entry in register - - - - - 5-6V.c.45,s.13. Act20,1847,s.5,Sch.

Correction of errors in register - - - - - 5-6V.c.45,s.14. Act20,1847,s.6.

Registration under Act 25, 1867, s. 18, when to have effect of registration under Act 20, 1847 - - - - - Act25,1867,s.18.

(*c*) *Infringement and Remedies.*

Action for infringement; limitation of actions - - - 5-6V.c.45,ss.15,16,24,26. Act20,1847,ss.7to9,13 to16.

Unlawful importation of foreign reprints, and penalties - - 5-6V.c.45,s.17.

Prohibition of importation where notice given to Customs authorities; lists of prohibited books - - - - - Act8,1878,s.18.

Property in illegal reprints - - - - - - 5-6V.c.45,s.23. Act20,1847,s.12.

(*d*) *Special.*

British Museum; copy of every book to be delivered to - - 5-6V.c.45,ss.6,7,10.

Copies to be delivered to Government Officer for British Museum, etc. - - - - - - - - - Act25,1867,ss.9to11(am. Act10,1890,s.4).

Universities of Oxford and Cambridge, Trinity College, Dublin, and Advocates' Library, Edinburgh; copies to be delivered to, on demand 5-6V.c.45,ss.8to10.

Universities of England, Colleges therein, Scotch Universities, Eton, Westminster, Winchester and Trinity College, Dublin; saving for rights of - - - - - - - - - „ s.27.

(*e*) *Miscellaneous.*

Act 20, 1847, declared in force throughout British India, except as regards the Scheduled Districts - - - - - Act15,1874,s.3.

COPYRIGHT—*cont.*

1. Books, Magazines, Maps, etc.—*cont.*

(*e*) *Miscellaneous*—cont.

Act 25, 1867, declared in force—
throughout British India, except as regards the Scheduled Districts — Act15,1874,s.3.
in the Santhál Parganas — Reg.3,1872,s.3(am.Reg.3, 1886).
in Upper Burma generally (except the Shan States) — Act20,1886,s.6.

2. Music and the Drama.

(*a*) *Musical Compositions.*

Application of law as to books to — 5-6V.c.45,ss.2,20.
Period of copyright—
if printed and published — „ s.20.
if publicly performed, but not printed and published — 3-4W.4,c.15,s.1.
Assignment of book containing musical composition not to convey right of performance unless intention expressed — 5-6V.c.45,s.22.

(*b*) *Dramatic Pieces.*

Application of law as to books to; first representation equivalent to first publication — „ s.20.
Period of copyright—
if printed and published — „ „
if not printed and published, though publicly performed — 3-4W.4,c.15,s.1.
Assignment of book containing dramatic piece not to carry right of representation unless intention expressed — 5-6V.c.45,s.22.
Penalties for infringement; limitation of actions — 3-4W.4,c.15,ss.2,3.
Saving for remedies under 3 & 4 Will. 4, c. 15 — 5-6V.c.45,s.24.

3. Fine Arts.

Paintings, Drawings and Photographs.

Ownership, subject, and period of copyright — 25-6V.c.68,ss.1,2.
Copyright personal property, and assignable — „ s.3.
Register book, and matters to be entered therein — „ s.4.
Application of 5 & 6 Vict. c. 45 as to register book, etc. — „ s.5.
Penalties and remedies for infringement; forfeiture of copies — „ s.6.
Summary proceedings — „ s.8.
Injunctions, inspection and accounts — „ s.9.
Unlawful importation — „ s.10.
Actions for damages — „ s.11.
Penalties for fraudulently signing or putting forth paintings, etc. — „ s.7.

4. British Possessions.

Action for damages for piracy — 5-6V.c.45,s.15.
Prohibition of importation of foreign reprints, and penalties — „ s.17. 39-40V.c.36,s.152.
Notice of copyright to be given to Commissioners of Customs, and lists to be published — „
Suspension of prohibitions as to British Possessions making Act protecting British authors — 10-1V.c.95,ss.1,2. 39-40V.c.36,s.152.

COPYRIGHT—*cont.*

4. British Possessions—*cont.*

Application of Copyright Acts to Colonies	49-50V.c.33,s.8.
Colonial register to be evidence	„ s.8(2).
Application of International Copyright Acts to British Possessions	„ s.9.

5. International.

(a) Period of and Property in Copyright in Foreign Works.

Orders in Council as to copyright for foreign works	7-8V.c.12,s.2.
Application of Acts as to books, with limitations	„ ss.3,6.
„ „ as to works of art and sculpture	„ ss.4,6. 25-6V.c.68,s.12.
„ „ as to dramatic and musical pieces	7-8V.c.12,ss.5,6.
Periods of copyright may vary	„ s.13.
Simultaneous publication in two or more countries	49-50V.c.33,s.3.
Orders not to be made unless protection for works first produced in United Kingdom secured by foreign powers to which orders relate	„ s.4(2).
Making, gazetting, laying before Parliament and revocation of orders	7-8V.c.12,ss.15,16. 49-50V.c.33,s.10.
Extent and effect of orders	„ s.2.
Application of Acts to existing works	„ s.6.
Evidence of foreign copyright	„ s.7.

(b) Registration.

Registration requisite within time fixed by order	7-8V.c.12,ss.3 to 6.
Mode of registration of books	„ ss.6,7.
„ „ of dramatic and musical pieces	„ s.6.
„ „ of engravings and prints	„ s.6.
„ „ of works of art	„ s.6. 25-6V.c.68,s.12.
Application of 5 & 6 Vict. c. 45 as to register book	7-8V.c.12,s.8.
Entry in register; proof of first publication; amendment	„ s.9.
Times of registration may vary	„ s.13.
Delivery of copies at Stationers' Hall	„ ss.6,11 to13.
Presentation of copies to British Museum and University libraries not required	„ s.3.
Registry and delivery of copies not required in certain cases	49-50V.c.33,s.4(1).

(c) Translations of Foreign Works.

Rights of author or publisher as respects translations	„ s.5.
Savings as to fair imitations and adaptations for stage	15-6V.c.12,s.6.
„ „ political and other articles in newspapers, etc.	„ s.7.

(d) Infringement and Remedies.

Prohibition of and penalties for importation of foreign works protected in Her Majesty's dominions, and of unauthorised translations	7-8V.c.12,s.10. 15-6V.c.12,s.9.
Action for damages for wrongful importation	7-8V.c.12,s.10.

COPYRIGHT OF DESIGNS. *See* DESIGNS.

CORONATION.

Oath and declaration to be taken at - - - - - 1 W.&M.c.6.. 1 W.&M.sess.2,c.2. 12-3W.3,c.2.. [1]

CORONERS Act, 1871 - - - - - - Act4,1871.
„ 1881 - - - - - - Act10,1881.

CORONER.

For cities of Bombay and Calcutta :

Appointment, status and removal of - - - - Act5,1871,ss.3(am.Act 5,1889,s.2), 4to6.
Salary of - - - - - - - „ s.36.
Disbursements of, to be repaid - - - - - „ s.37.
Deputy Coroner; appointment, etc., of - - - - „ s.38(pt.rep.Act 10,1873).
In what cases to hold inquest - - - - - „ ss.8(am.Act10, 1881,s.5), 9,10.
Inquest may be held on Sunday - - - - - „ s.12.
Information of death of prisoner to be sent to Coroner by Superintendent of Prison, under penalty - - - - „ s.9.
Power of Coroner to disinter corpse - - - - „ s.10.
Jury; summoningand swearing of - - - - „ ss.12to14.
„ fining of juror neglecting to attend - - - „ ss.31to33.
„ juror ordinarily not to be summoned twice in a year - „ s.34.
„ prisoners and officers of prison not to serve on - - „ s.35.
„ Coroner to view body with - - - - - „ ss.14,15.
Coroner to call and examine witnesses; penalty for non-attendance of witness - - - - - - „ ss.16,17(am. Act10,1881, s.6).
Post mortem examination - - - - - - „ s.18.
Procedure in taking evidence - - - - - „ ss.19,20(am. Act10,1881, s.7).
Adjournment of inquest - - - - - - „ s.21.
Coroner to sum up evidence to jury; their verdict - - „ ss.22,23.
Inquisition; signature and contents of - - - „ s.24,Sch.II.
Procedure where verdict amounts to murder, etc. - „ s.25.
Power of, to issue warrant against accused person - - „ s.26.
„ to accept bail - - - - - - „ s.27.
To give warrant for burial of body - - - - „ s.28.
Inquisition not to be quashed for want of form, but may be amended by High Court - - - - - „ s.29.
Cessation of Coroner's jurisdiction as to treasure trove, wrecks, etc. *Felo de se* not to forfeit his goods - - - - Deodands abolished - - - - - - „ s.30.
Coroner and his Deputy not liable to serve as juror - - „ s.39.
„ „ „ privileged from arrest - - - „ s.40.
„ „ „ power of Chief Justice to fine - - „ s.41.
Proceedings for things done under Act, etc., barred by tender of amends - - - - - - - - „ s.42(pt.rep. Act9,1871).

[1] These Acts are indexed because they are published in the Collection of Statutes relating to India.

CORRUPTION AND EXTORTION REGULATION (BENGAL), 1827.[1] [*See* PUBLIC OFFICERS] - - - - - - Ben.Reg.3,1827.

COTTON DUTIES ACT, 1896. (*See* CUSTOMS (INLAND); EXCISE, 2) - Act2,1896.

COTTON GOODS. *See* EXCISE, 2.

COUNCIL OF INDIA ACT, 1876.[2] [*See* GOVERNMENT OF INDIA, 2 (*a*)] - - - - - - - - - 39-40V.c.7.

COUNCIL OF INDIA REDUCTION ACT, 1889. [*See* GOVERNMENT OF INDIA, 2 (*a*)] - - - - - - - - 52-3V.c.65.

COUNCIL.

Of Secretary of State. *See* GOVERNMENT OF INDIA, 2 (*a*).

Of Governor General. *See* GOVERNMENT OF INDIA, 2 (*b*).

Of Governor or Lieutenant-Governor. *See* GOVERNMENT OF INDIA, 2 (*c*).

COUNCIL OF ELDERS. *See* FRONTIER, E, 2; F.

COUNTERFEIT defined. *See* WORDS AND PHRASES.

COURTS ACT (LOWER BURMA), 1889. (*See* CIVIL COURTS, ETC.) - Act11,1889.

" " (OUDH), 1891. " " " " - Act14,1891.

" " (PUNJAB), 1877. " " " " - Act17,1877.

" " " 1884. " " " " - Act18,1884.

" " " 1888. " " " " - Act13,1888.

" REGULATION (AJMERE), 1877 " " " " - Reg.1,1877.

" " (COORG), 1881 " " " " - Reg.2,1881.

" " " 1885 " " " " - Reg.1,1885.

COURTS (COLONIAL) JURISDICTION ACT, 1874. (*See* CRIMINAL LAW; SEA) - - - - - - - - - 37-8V.c.27.

COURT.

Definitions of. *See* WORDS AND PHRASES.

Power to constitute, in British Settlement - - - - 50-1V.c.54.

Landholders, farmers, etc., prohibited from interfering in matters coming within jurisdiction of Courts; penalty - - - (As.,Ben.)Ben.Reg.8,1793, s.66.[3]

Certain territories exempted from jurisdiction of Courts. *See* DE-REGULATIONISED TRACTS.

Ben. Reg. 11, 1822, s. 38, declared in force—

throughout Bengal and the North-Western Provinces, except as regards the Scheduled Districts - - - - - Act15,1874,ss.6,7.

in Oudh - - - - - - - - Act18,1876,s.3.

in Angul and the Khondmals - - - - - Reg.1,1894,s.3.

Government not liable for errors or irregularities in decrees, orders or proceedings of Courts; Government officers not liable for anything done or suffered in conformity with such decrees, etc. - - - - - - - - - Ben.Reg.11,1822,s.38.

Indian Marine Court. *See* ROYAL INDIAN MARINE, 3.

Naval Court. *See* MERCHANT SHIPPING, 2 (*g*), 7 (*c*), 11 (*a*).

See also CHIEF COURT OF THE PUNJAB; CIVIL COURTS; COLONIAL COURT OF ADMIRALTY AND VICE-ADMIRALTY COURT; COURT MARTIAL; CRIMINAL COURTS; HIGH COURT; RECORDER OF RANGOON; REVENUE COURTS; SPECIAL COURT, BURMA.

COURT MARTIAL.

Commission for, not to be issued - - - - - - 3C.1,c.1.[4]

[1] This short title was given by Act 5, 1897, s.4.

[2] This short title was given by 59 & 60 Vict. c. 14.

[3] Ben. Reg. 8, 1793, s. 66, has been declared by notification under the Scheduled Districts Act, 1874, to be in force in the Districts of Sylhet and Goalpara (excluding the Eastern Dvars) in Assam.

[4] This Act is indexed because it is published in the Collection of Statutes relating to India.

COURT MARTIAL—*cont.*
Power of Governor General in Council to direct trial of offences by, in time of war or rebellion. *See* STATE OFFENCES.
See ARMY, 4; INDIAN MILITARY AND NAVAL FORCES, III, 3; NAVY, 3 (*d*); VOLUNTEER.

COURT OF WARDS ACT, 1870 - - - - - - Ben.Act4,1870.
„ „ „ 1879 - - - - - Ben.Act9,1879.
„ „ „ (BENGAL) AMENDMENT ACT, 1892[1] - Act4,1892.

COURT OF WARDS.

1799. Ben. Reg. 5, s. 8 (Administration).
1804. Mad. Reg. 5 (Court of Wards, Madras).
1831. Mad. Reg. 10, s. 2 (Court of Wards, Madras).
1854. Act 26 (Education of male wards, Burma and Punjab).
1855. Act 21 (Court of Wards, Madras).
1858. Act 34, s. 24 (Lunacy).
„ Act 35, s. 9 (Lunacy).
1872. Act 4, ss. 34 to 38 (Court of Wards, Punjab).
„ Reg. 3, s. 3 (Laws, Santhál Parganas).
1873. Act 19, ss. 3, 193 to 206 (Court of Wards, North-Western Provinces).
1874. Act 15, s. 4 (Laws Local Extent).
1876. Act 17, ss. 2, 161 to 177A (Courts of Wards, Oudh).
1879. [2]Ben. Act 9 (Court of Wards, Assam and Bengal).
1885. Act 8, ss. 95, 97 (Bengal Tenancy).
„ Act 17 (Government Wards, Central Provinces).
1888. Reg. 1 (Government Wards, Ajmere).

GENERALLY - - - - - .....
A.—AJMERE - - - - -
B.—ASSAM AND BENGAL - - -
C.—CENTRAL PROVINCES - - - } 1. Preliminary.
D.—MADRAS PRESIDENCY - - - } 2. Management and Guardianship.
E.—NORTH-WESTERN PROVINCES - - } 3. Miscellaneous.
F.—OUDH - - - - -
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GENERALLY.

Assumption by Court of management of lunatic's estate - - Act34,1858,s.24. Act35,1858,s.9.
Payment of income tax by Court. *See* INCOME TAX, 3.

A.—AJMERE.

1. Preliminary.

Definitions - - - - - - - - - Reg.1,1888,section3.

2. Management and Guardianship.

Commissioner to be Court of Wards - - - - „ s.4.
All landholders to be under jurisdiction of Court - - - „ s.5.
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Who are - - - - - - - - „ s.7.
Power of Court to assume superintendence of property or person of - - - - - - - - „ ss.6,8,9.
Withdrawal from superintendence of person or property of - „ s.24.

[1] This short title was given by Act 5, 1897, s.4.
[2] Ben. Act 9, 1879, as amended by subsequent Acts, has been extended, by notification under the Scheduled Districts Act, 1874, to the districts of Cachar, Darrang Goalpara, Kamrup, Lakhimpur, Nowgong, Sibsagar and Sylhet in Assam.

OF WARDS—*cont.*

A.—AJMERE—*cont.*

2. Management and Guardianship—*cont.*

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eral powers of Court	,,	ss.13,17.
ody, education and residence of wards	,,	s.14.
wance for support of ward and his family	,,	s.15.
ral duties of Court or manager	,,	s.16.
ilities of ward	,,	s.22.
s of Court when succession to ward's property is disputed	,,	s.23.

3. Miscellaneous.

lure in suit by or against ward	,,	ss.18to21.
ls	,,	s.25.
l by Local Government	,,	s.26.
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B.—ASSAM[1] AND BENGAL.

1. Preliminary.

ct 9, 1879, extends to whole of Bengal, including the Scheduled Districts	Ben.Act9,1879,s.1.	
,, ,, and Ben. Act 3, 1881, declared in force in the Santhál Parganas	Reg.3,1872,s.3(am.Reg.3, 1886).	
,, ,, not to affect—		
Act 34, 1858 (Lunacy)	Ben. Act 9, 1879,section4.	
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2. Management and Guardianship.

f Revenue to be Court of Wards	,,	s.5.
fied proprietors :		
o are	,,	s.6(am.Act4,1892, s.3).
ers of Court as to taking charge of person and property of, d of minor members of their families	,,	ss.7,9,10(am.Act4. 1892,ss.4,5).
er of Court to take charge of person or property of proprie- or minor on application of Civil Court	,,	s.10(am.Act4, 1892,s.6).
ration by Court on taking charge of person or property	,,	s.35.
r of Court to retain charge of person or property of still qualified proprietors when joint proprietors cease to be sub- to its jurisdiction	,,	s.11(am.Act4, 1892,s.7).
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when bound to release person and property of, from its ge	,,	s.8.
ation of cessation of Court's jurisdiction	,,	s.65.
tor to take charge of person and property on proprietor g declared disqualified	,,	ss.36,37.

[1] t 9, 1879, as amended by subsequent Acts, has been extended, by notification under the Scheduled District districts of Cachar, Darrang, Goalpara, Kamrup, Lakhimpur, Nowgong, Sibsagar and Sylhet in Assam.

COURT OF WARDS—*cont.*

B.—ASSAM[1] AND BENGAL—*cont.*

2. Management and Guardianship—*cont.*

Powers of Court when succession to property of ward is disputed - Ben. Act 9, 1879, sect
Court's general powers of management - - - - - „ ss.14,
Delegation of Court's powers - - - - - „
Power of Court to employ establishments and incur expenses - „ s.16(am.Bc 3,188
„ „ to appoint, etc., managers and guardians - - „
Custody, education and maintenance of minors - - - „
Allowance for support of ward and his family - - - „
Disabilities of wards - - - - - - - „ ss.60(a 18
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Restrictions on choice of guardian - - - - - „
General powers of manager - - - - - - „
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Recovery by manager of sums recoverable as rent - - - „ s.63 A
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General duties of guardian - - - - - - - „
Remuneration „ „ - - - - - - „
Delivery to Court of accounts and property in hands of manager or guardian - - - - - - - - „

3. Miscellaneous.

Duty of Collector to report to Court as to what proprietors should be taken under its charge, and to take temporary charge of their property, etc. - - - - - - - - „
Power of Court or Local Government to put Act into operation without report from Collector - - - - - - - „
Application to Civil Court where Collector reports disqualified proprietor to be a lunatic or to be suffering from physical defect or infirmity - - - - - - - - - „
Exemption of ward's property from execution proceedings in certain cases - - - - - - - - - „ s.6
Procedure in suits by or against wards - - - - „ ss.51 B s

[1] Ben. Act 9, 1879, as amended by subsequent Acts, has been extended, by notification under the Sc Act, 1874, to the districts of Cachar, Darrang, Goalpara, Kamrup, Lakhimpur, Nowgong, Sibsaga Assam.

OF WARDS—*cont.*

B.—ASSAM [1] AND BENGAL—*cont.*

3. Miscellaneous—*cont.*

ces and penalties		Ben. Act 9, 1879, ss 58, 58A (ins. Ben. Act 3, 1881, s. 9), 59, 64.
very of arrears of revenue accruing on estates while they are der charge of Court; protection of estates from sale	,,	ss. 23, 23A (am. Ben. Act 3, 1881, s. 4).
ery of sums due to Court		ss. 46, 65A (am. Ben. Act 3, 1881, s. 11).
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C.—CENTRAL PROVINCES.

1. Preliminary.

ons		Act 17, 1885, section 3.

2. Management and Guardianship.

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fied landholders:		
o are	,,	s. 7.
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hdrawal from superintendence of person or property of	,,	s. 26.
nent, suspension and removal of, and delegation of Court's ns to, manager	,,	s. 11.
s, etc., of managers and other servants of Court	,,	s. 12.
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3. Miscellaneous.

n suits by or against wards	,,	ss. 19 to 22.
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diction of Civil Courts in certain cases	,,	ss. 10, 29.
ocal Government to make rules	,,	s. 30.

, 1879, as amended by subsequent Acts, has been extended, by notification under the Scheduled Districts districts of Cachar, Darrang, Goalpara, Kamrup, Lakhimpur, Nowgong, Sibsagar and Sylhet in

COURT OF WARDS--*cont.*

D.—MADRAS PRESIDENCY.

1. Preliminary.

Mad. Regs. 5, 1804, and 10, 1831, and Act 21, 1855, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts - - - - - - Act15,18

2. Management and Guardianship.

Board of Revenue to be Court of Wards - - - - Mad.Reg.5,1

In what cases Court may assume superintendence - - - " Mad.Reg.10,1831,

Appointment of managers and guardians - - - - Mad.Reg.5,1804,s

Report to Court and Government before assuming superintendence; appeal to Civil Court - - - - - - - " ss.3(*1*) (ss.6,7,re Act35,18

Power of Court to place females in possession and management of their property - - - - - - - - "

Minors, lunatics, etc., not to manage their own affairs - - "

General duties and powers of managers - - - - " ss.10,11to1

Remuneration of managers - - - - - - - "

Allowance for support of ward and his family - - - " s.1

Court's general powers of management - - - - "

General duties and powers of guardians - - - - " ss.21,2 Act Mad.A Ac

Remuneration of guardians - - - - - - - "

Inquiry into charge of fraud against manager or guardian - - "

Suits by or against manager or guardian - - - - "

Court's consent required to adoption by ward - - - "

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Custody of minor wards - - - - - - - - "

Penalty for abetting marriage of minor ward, etc., without leave of Collector - - - - - - - - -

3. Miscellaneous.

Procedure in suits by or against wards - - - - Mad.Reg.5,1804

Appeal from Collector to Court - - - - - - "

E.—NORTH-WESTERN PROVINCES.

1. Preliminary.

Definitions - - - - - - - - - - Act 19, 187

2. Management and Guardianship.

Board of Revenue to have powers of Court of Wards - - " s.1

Disqualified proprietors:

Who are - - - - - - - - - " s.

OF WARDS—*cont.*

E.—NORTH-WESTERN PROVINCES—*cont.*

2. Management and Guardianship—*cont.*

ualified proprietors—*cont.*:

Powers of Court as to taking and relinquishing charge of person or property of — Act 19, 1873, s. 195 (am. Act 8, 1879, s. 20).

pintment, etc., of managers and guardians — „ s. 199.

wance for support of ward — „ s. 200 (am. Act 8, 1879, s. 21).

e of residence of minor ward — „

ral powers of manager — „ s. 201.

duties „ „ — „ ss. 202, 206.

neration „ „ — „ s. 206(*e*).

s general powers of management — „ s. 203 (am. Act 8, 1879, s. 22).

ation of Court's powers — „ s. 204.

lities of wards — „ s. 205B (ins. Act 8, 1879, s. 24).

3. Miscellaneous.

of Collector to report to Court as to what proprietors should be n under its charge — „ s. 196.

of Court or Local Government to put Act into operation with- report from Collector — „ s. 197.

n by Government when Court's right of superintendence is ted — „ s. 198.

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eg. 5, 1799 (Administration of estates of Hindus, etc.), not fect jurisdiction of Court — Ben. Reg. 5, 1799, s. 8.

F.—OUDH.

1. Preliminary.

ons — Act 17, 1876, sec. 2 (am. Act 20, 1890, s. 12).

2. Management and Guardianship.

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ied proprietors:

are — „ ss. 161, 162.

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wers of manager — „ s. 170.

ties „ „ — „ ss. 171, 172.

ion „ „ — „ s. 177(*e*).

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of Court's powers — „ s. 177A (ins. Act 20, 1890, s. 31).

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COURT OF WARDS—*cont.*

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3. Miscellaneous.

Duty of Deputy Commissioner to report to Court as to what proprietors should be taken under its charge - - - - } Act17,1876,s.163(a
Power of Court or Local Government to put Act into operation without such report - - - - - - } 20
Decision by Government when Court's right of superintendence is disputed - - - - - - - - - } „
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H.—BURMA.

Education and maintenance of male minors who are subject to the superintendence of the Court of Wards - - - - } Act26
COURT FEES ACT, 1870 - - - - - - - A
COURT FEES.

1. Preliminary.

Act 7, 1870, extends to whole of British India - - - Act7
„ „ declared in force in—
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Upper Burma generally (except the Shan States) - Act
British Baluchistan - - - - Reg
the Sub-division of Angul - - - Reg
Act 20, 1870 (amending Act 7, 1870), declared in force in—
the Santhál Parganas - - - - - } Reg.3,1872,s.3
Upper Burma generally (except the Shan States) - - Ac
Mad. Reg. 5, 1831, s. 7(2), declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts - } Ac
Act 7, 1870, not to apply in certain cases in Santhál Parganas - Re

2. Imposition of Fees.

In Presidency Small Cause Courts. *See* SMALL CAUSE COURTS, A, 3.

[1] This Act is indexed because it is published in the Punjab and Burma Codes.

T FEES—*cont.*

2. Imposition of Fees—*cont.*

High Courts - - - - - - - - - 24-5 V.c.104,s.15. Act7,1870,s.3(pt.rep.Act 12,1891),Sch.I,No. 11(am.Act7,1889, s.13),Sch.II,Nos.7, 12,14,20,21.

" " in cases coming before them in exercise of their extraordinary, appellate, or revisional jurisdiction - Act7,1870,ss.4,6,Sch.I(pt. rep.Acts20of1870,8 of1871,8of1890;am. Acts18of1884,s.71,7 of1889,s.13,11of1889, s.84,12of1891,Reg.1of 1886,s.36),Sch.II(pt. rep.Acts6of1889,s.18, 13of1889,12of1891; am.Acts6of1889,s.18, 12of1891).

ner courts and in public offices - - - - -

in suits instituted in Colonial Court of Admiralty at Aden, ngoon or Karachi to be levied in accordance with Ch. III of t 7, 1870; exception - - - - - - Act16,1891,s.4.

ptions from fees :

eneral list of documents exempted from fees - - - Act7,1870,s.19(am.Act15, 1872,s.2,Act7,1889, s.13;pt.rep.Acts13, 1889,and12,1891).

ower of Governor General in Council to remit fees - - " s.35.

ower to grant to exemption in Angul - - - - Reg.1,1894,s.58.

3. Collection of Fees.

be collected by impressed or adhesive stamps - - Act 7, 1870, sections25,26.

of Local Government to make rules—

to supply, number, renewal and keeping accounts of stamps " s.27.

to sale of stamps - - - - - - " s.34(am.Act12, 1891).

ents invalid unless properly stamped - - - " s.28.

of Judge, etc., to direct stamping where unstamped document received in Court, etc., through mistake or inadvertence - "

amp when not required on amended document - - " s.29.

nts not to be filed or acted upon until stamp cancelled - " s.30.

Court or Presidency Small Cause Court; procedure in case erence as to necessity or amount of fee - - - " s.5.

Courts and in public offices:

how to be computed in case of—

certain suits - - - - - - - " s.7(pt.rep.Act 12,1891).

applications and appeals under N.-W. Provinces Rent Act, 1881 - - - - - - - - Act12,1881,s.95(am.Act 14,1886,s.2).

memorandum of appeal against order relating to compensation under Land Acquisition Act - - - - Act 7, 1870, sections 8.

r to issue commission to ascertain net profits or market ue; procedure on report of Commissioner - - - " ss.9,10(pt.rep. Act12,1891).

COURT FEES—*cont.*

3. Collection of Fees—*cont.*

In other Courts and in public offices—*cont.*:

Stay of execution of decree for mesne profits or account till full fee paid - Act 7, 1870, section

Decision of questions as to valuation - „

Additional fee where respondent takes objection to unappealed part of decree - „

Fee in multifarious suit - „

„ on written examination of complainant - „

Refund of fees in certain cases - „ ss.13to15(an 20,18 (P.)Act18,188

Special provisions as to probates and letters of administration:

Refund when too high a fee paid by executor or administrator - Act7,1870,s.19A

Refund where debts due from deceased person have been paid out of his estate - „ s.19B

Relief in case of several grants - „ s.19C(ins. 1875,s.6 Act12,

Probates and letters of administration valid as to trust property, though such property is not covered by court-fee paid - „ s.19D(ins. 1875,s.6 (pt. 12

Payment of additional fee, with penalty, by executor or administrator where too low a fee paid in the first instance; power to remit penalty; administrator to give security; recovery of penalties - „ ss.19E,19 (ins.Act1 s.6;s.19(Act1 Act6,1889,se

4. Miscellaneous.

Sections 4 and 6 of Act not to prevent filing or exhibition of unstamped document in Criminal Court when Judge considers such filing or exhibition necessary to prevent failure of justice - Act7,18

Act 7, 1870, Chaps. II and V (ss. 3 to 5, 25 to 30) not to apply to commission or fees of certain officers of High Court - „

Repayment to complainant by accused, on conviction, of fees paid by former - „

Recovery of fine from ministerial officer when prescribed stamp not used for document filed or copy given - Mad.Reg.5,1

Offences relating to stamps. *See* CRIMINAL LAW (INDIAN), 10.

Fees for processes. *See* PROCESS FEES.

COVENANT.

Assignees of leases and reversions to have benefit of covenants - 32

CREMATION. *See* DISPOSAL OF THE DEAD.

CRIMINAL COURTS.

Constitution, powers and procedure of. *See* CRIMINAL PROCEDURE (INDIAN).

CRIMINAL FORCE. *See* CRIMINAL LAW (INDIAN), 14(*b*).

CRIMINAL INTIMIDATION, INSULT AND ANNOYANCE. *See* CRIMINAL LAW (INDIAN), 2

[1] This Act is indexed because it is published in the Collection of Statutes relating to India.

NAL JURISDICTION ACT, 1802.[1] [*See* CRIMINAL LAW (ENGLISH)] - - - - - - - - - 42G.3,c.85.

NAL JUSTICE REGULATION (BRITISH BALUCHISTAN), 1896. (*See* CRIMINAL PROCEDURE) - - Reg.8,1896.

„ „ (UPPER BURMA), 1892. (*See* CRIMINAL PROCEDURE) - - Reg.5,1892.

NAL LAW (INDIA) ACT, 1828.[1] [*See* CRIMINAL LAW (ENGLISH)] 9G.4,c.74.

NAL LAW AND PROCEDURE (ENGLISH).

. [2]25 E. 1 (*Mag. Car.*), c. 29 (Trial).
. [2]5 E. 3, c. 9 (Imprisonment).
[2]28 E. 3, c. 3 (Trial).
[2]13 E. c. 5 (Fraudulent Conveyances).
. [2]27 E. c. 4 (Fraudulent Conveyances).
[2]1 W. & M. sess. 2, c. 2 (Punishment).
. 11 W. 3, c. 12 (Public Officer).
. [2]6 A. c. 41, s. 1 (Treason).
10 G. 3, c. 47, s. 4 (Trial in England).
3. 13 G. 3, c. 63, ss. 33, 39 to 43 (Trial in England).
1. 21 G. 3, c. 70, ss. 4 to 7 (Trial in England).
24 G. 3, sess. 2, c. 25 (Special Commission).
26 G. 3, c. 57 (Special Commission, etc.).
33 G. 3, c. 52, ss. 45, 46, 67, 140, 141 (Trial; arrest).
1796-7. 37 G. 3, c. 142, s. 14 (Trial in England).
1801-2. 42 G. 3, c. 85 (Public Officer).
1809. 49 G. 3, c. 126 (Sale of Office).
1812. [2]52 G. 3, c. 156 (Escape).
1828. 9 G. 4, c. 74, ss. 7 to 9, 25, 26, 56 (Trial).
1833. 3-4 W. 4, c. 85, s. 46 (European British subjects).
1849. 12-3 V. c. 96, s. 3 (Murder, etc.).
1860. 23-4 V. c. 88 (Admiralty Jurisdiction; Prosecution of Offences).
„ 23-4 V. c. 122 (Murder, etc.).
1874. 37-8 V. c. 27 (Admiralty Jurisdiction; Prosecution of Offences).
1876. 39-40 V. c. 46 (Slave Trade, etc.).
1878. 41-2 V. c. 73 (Territorial Waters).
1890. 53-4 V. c. 37, s. 5 (Foreign Jurisdiction).

nd unusual punishment not to be inflicted - - - 1W.&M. sess.2,c.2.[2]
ion of treason - - - - - - 6A.c.41,s.1.[2]
offices:
rsons buying and selling offices - - - - 49G.3,c.126.
xemption in case of authorised army exchanges. *See* ARMY, 2.
ersons opening or advertising houses, etc., for transacting business in relation to - - - - - - 49G.3,c,126,ss.5,6.
ffences committed abroad in relation to, to be tried in Court of Queen's Bench - - - - - - „ s.14.
g escape of prisoners of war - - - - 52G.3,c.156.[2]
or putting in use fraudulent conveyance - - - [2]13E.c.5 [2]27E.c.4 (rep.locally, Act4,1882).
to be condemned without lawful trial on due process - 25E.1(*Mag.Car*),c.29. 5E.3,c.9. 28E.3,c.3. [2]
Governors of plantations, etc., in Court of Queen's Bench or cial Commissioners - - - - - - 11W.3,c.12.
Court of Queen's Bench of persons employed in public abroad - - - - - - - 42G.3,c.85.
for offence in British Possession, on death there from injury d at sea, etc. - - - - - - - or offence at sea, on death at sea, etc., from injury inflicted ish Possession - - - - - 12-3V.c.96,s.3.
Legislature of British Possession to legislate for trial, etc., ler, etc., therein, where person injured dies elsewhere - 23-4V.c.122.

[1] This short title was given by 59 & 60 Vict. c. 14.
[2] These Acts are indexed because they are published in the Collection of Statutes relating to India.

CRIMINAL LAW AND PROCEDURE (ENGLISH)—*cont.*

Power to try and punish murder or manslaughter, where offence not wholly committed and completed within jurisdiction; or any offence committed at sea - - - - - - - 9G.4,c.74 23-4V 37-8V

Power to punish offences against laws relating to the slave trade committed out of jurisdiction - - - - - - 39-40V

Trial in Colonial Courts of offences committed elsewhere, under Foreign Jurisdiction Acts. *See* FOREIGN JURISDICTION.

Extension, by Order in Council, of 12-3 Vict. c. 96 and 23-4 Vict. c. 122 to any place to which Foreign Jurisdiction Act, 1890, applies - 53-4V.c.37,s.5,

Trial of offences committed within territorial waters of Her Majesty's dominions, though committed on or by means of foreign ship; saving as to trial of pirates; definition of territorial waters, etc. - - - - - - - - - - 41-2

Power to try British subjects in England for offences committed in India, and proceedings thereunder - - - - - 10G.3, 13G.3,c.63,ss. 21G.3,c.70, 33G.3,c.52,ss.1 37G.3,c.1

Warrant of Lord Chancellor or Speaker for taking evidence in India on proceedings in Parliament touching offences - - - 13G.3,c.63,ss

Proceedings against persons holding certain offices and employments for breach of trust, etc. - - - - - - - ,,

Proceedings by special commission against British subjects holding certain offices and employments for extortion, etc. - - - 24G.3,se 26

Power to High Court of Justice to try the information - - 26G.3,

All British subjects in India amenable to local Courts of oyer and terminer and gaol delivery, and sessions - - - - - 33G.3,

Warrants for arrest of persons suspected of carrying on correspondence dangerous to safety of British Possessions - - - ,,

Accessories in felony - - - - - - - - 9G.4,c.74

Mode of prosecuting certain offences - - - - - - 33G.3,c

Inferior Courts not to have power of sentencing European British subjects to death - - - - - - - - - 3-4W.4,

Punishment of offences in Admiralty Courts - - - - 9G.4,

Interpretation of criminal statutes - - - - - - ,

CRIMINAL LAW (INDIAN).

1817. Ben. Reg. 12, s. 30 (Falsification of Accounts).
1855. Act 24 (Penal Servitude).
1860. Act 45 (Penal Code).
1864. Act 6 (Whipping).
1870. Act 27 (Amendment of Penal Code).
1872. Act 4, s. 39 (Laws, Punjab).
,, Reg. 3, s. 3 (Laws, Santhál Parganas).
,, Reg. 5, ss. 7, 11 (Sindh Frontier).
1874. Act 15, s. 3 (Laws Local Extent).
,, Reg. 9, s. 3 (Laws, Arakan Hill District).
1877. Reg. 3, s. 29 (Laws, Ajmere).
1882. Act 10, ss. 44, 45, Ch. IX, ss. 195 to 199, 345, 480 to 482, 521 (Criminal Procedure Code).
1882. Act 14, s. 643 (Civil Procedur
,, Act 15, Ch. XII (Presidency S Courts).
1886. Act 20, ss. 6, 7 (Laws, Upper
1887. Reg. 4, ss. 8, 14, 32 (Punjab a Baluchistan Frontier).
1890. Act 9, s. 130 (Railways).
,, Reg. 1, s. 3 (Laws, British tan).
1894. Reg. 1, s. 3 (Laws, Angul).
1895. Reg. 1, s. 3 (Laws, Kachin H
1896. Reg. 5, s. 3 (Laws, Chin H
1897. Act 10, s. 25 (General Claus

INAL LAW (INDIAN)—*cont.*
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unishments.
eneral Exceptions.
ffences against the State.
ffences relating to the Army, Navy or Royal Indian Marine.
ences against the Public Tranquillity.
ences by or relating to Public Servants.
ntempts of lawful authority of Public Servants.
lse Evidence, and Offences against Public Justice.
fences relating to Coin or Government Stamps.
nces relating to Weights and Measures.
12. Offences affecting the Public Health, Safety, Convenience, Decency or Morals.
13. Offences relating to Religion.
14. Offences affecting the Human Body.
15. Offences against Property.
16. Offences relating to Documents.
17. Trade, Property and other Marks.
18. Criminal Breach of Contracts of Service.
19. Offences relating to Marriage.
20. Defamation.
21. Criminal Intimidation, Insult and Annoyance.
22. Abetment and Attempts.
23. Procedure.
24. Special and Local.

1. Preliminary.

n Penal Code (Act 45, 1860) applies throughout British India (*see also below*, 24) - - - - - - - Act45,1860,s.1.
4, 1855 (Penal Servitude), and Act 6, 1864 (Whipping), declared force throughout British India, except as regards the Scheduled tricts (*see also below*, 24) - - - - - - Act15,1874,s.3.
hment to be inflicted under Indian Penal Code and not otherwise; saving of Acts of Parliament, Army Act and special and l laws - - - - - - - - - Act45,1860,ss.2to5.
7, 1870 (amending Penal Code), not to affect special or local laws - Act27,1870,s.15.
al definitions - - - - - - - - Act45,1860,ss.6to52(s.28 am.Act1,1889, s.9;s.34am.Act 27,1870,s.1;s. 40am.Act27, 1870,s.1,Act8, 1882,s.1,and Act10,1886, s.21).

2. Punishments.

hments to which offenders are liable (death, transportation, al servitude, imprisonment, forfeiture, fine) - - - - ,, s.53.
t cases whipping may be inflicted—
nerally - - - - - - - - - Act6,1864,ss.2to5(am. Act3,1895, ss.5,6).
frontier districts generally - - - - - - ,, s.6.
Punjab or British Baluchistan frontier district - - Reg.4,1887,ss.8,14(2).
Upper Burma (except the Shan States) - - - Act20,1886,s.7(*c*),Sch.III.
Kachin Hills - - - - - - - - Reg.1,1895,s.3.Sch.
Chin Hills - - - - - - - - Reg.5,1896,s.3,Sch.
tation of sentences of death or transportation for life - Act45,1860,ss.54,55.
ns and Americans to be sentenced to penal servitude instead nsportation - - - - - - - - - Act24,1855,ss.1,2,15. Act45,1860,s.56(am.Act 27,1870,s.3).
when proof that convict is European or American - - Act24,1855,ss.14,15.
ion of Act 24, 1855, where sentence of death commuted al servitude - - - - - - - - ,, s.4.

CRIMINAL LAW (INDIAN)—*cont.*

2. Punishments—*cont.*

Transportation; provisions as to - - - - - - Act45,1860,secs.57t
Imprisonment may be either rigorous or simple - - - „ ss.5
Forfeiture of property; provisions as to sentence of - - - „ ss.
Fine not to be excessive - - - - - - - „
„ imposable in Kachin Hill-tracts in lieu of or in addition to any other punishment - - - - - - - „ s.75A(ins.
1895,s.3,
„ imprisonment for non-payment of - - - - „ ss.64[am.
1882,s.3,A
1886,s.2
65,66,
Act8,18
Reg.1,
3),
„ „ „ „ in Kachin Hill-tracts - „ s.67(am.
1895,s.3
„ leviable within six years; death not to discharge property from liability - - - - - - - - „
Limit of punishment of offence made up of several offences - - „ s.71(a
18
Punishment of person guilty of one of several offences, the judgment stating that it is doubtful of which - - - - - „
Solitary confinement - - - - - - - - „ s.73(a
1882,s.
Act 45, 1860, ss. 63 to 70, applied to fines imposed under any Act, Regulation, rule or bye-law - - - - - Act10,18
Enhanced punishment for certain offences relating to coin, Government stamps or property, after previous conviction - - - Act45,1860,s.75(
10,188
See also, as to particuar punishments for various offences, the Acts relating to such offences.

3. General Exceptions.

No offence where act done—
by person bound or justified by law - - - - „
by Judge acting judicially - - - - - „
pursuant to judgment or order of Court - - - - „
by accident in doing lawful act - - - - - „
without criminal intent, in order to prevent harm - - „
by child - - - - - - - - - „
„ except where act endangers safety of persons travelling by railway - - - - - - - Act9,18
by lunatic - - - - - - - - Act 45, 1860, s
by intoxicated person; exceptions - - - - „
by consent - - - - - - - - „ ss.8
in good faith for benefit of person without consent; exceptions - „
under compulsion of threats; exceptions - - - „
causes but slight harm - - - - - - „
Communication made in good faith, when no offence - - - „
Right of private defence - - - - - - „
Ch. IV (ss. 76 to 106) applied to offences under sections added by Act 27, 1870 - - - - - - - - Act27,1870,

INAL LAW (INDIAN)—*cont.*

4. Offences against the State.

aging war against the Queen; conspiracy, collecting arms, etc., concealing design - - - - - - - - Act45,1860,ss.121,121A (ins.Act27, 1870,s.4), 122,123. Act27,1870,s.13.

aulting, etc., Governor General, Governor or Member of Council - Act45,1860,section124.

biting disaffection against Government - - - - „ s.124A(ins. Act27,1870, s.5). Act27,1870,s.13.

ing war against, or committing depredation in territories of, lower at peace with Queen - - - - - - Act45,1860,ss.125to127.

ulating false report to induce offence against the State - - „ s.505.

lic servant allowing prisoner of State or war to escape - - „ ss.128,129.

bouring, etc., prisoner of State or war - - - - „ s.130.

gation to give information of offences - - - - Act10,1882,s.44.

hority for instituting prosecutions - - - - „ s.196.

5. Offences relating to the Army, Navy or Royal Indian Marine.

ing mutiny, or attempting to seduce from duty - - - Act45,1860,s.131(am.Act 27,1870,s.6), s.132.

assault on officer - - - - - - „ ss.133,134.

desertion, or harbouring deserter - - - - „ ss.135to137.

act of insubordination - - - - - „ s.138.

cation of ss. 131 to 138 to Royal Indian Marine - - „ s.138A(ins.Act 14,1887,s.79).

ing garb or token used by soldier - - - - „ s.140.

ns subject to Articles of War not liable to punishment under 131 to 138 or 140 - - - - - - „ s.139.

lating false report to cause mutiny in Army or Navy - - „ s.505.

so INDIAN MILITARY AND NAVAL FORCES, III, 3.

6. Offences against the Public Tranquillity.

rful assembly and rioting - - - - - „ ss.141to158.

sion of unlawful assemblies - - - - - Act 10, 1882, ChapterIX.

ion to give information of offences - - - - „ ss.44,45(am. Acts3, 10,1894).

- - - - - - - - - Act45,1860,secs.159,160.

ting false report to disturb public tranquillity - - „ s.505.

7. Offences by or relating to Public Servants.

servant allowing prisoner of State or war to escape - - „ ss.128,129.

„ taking illegal gratification - - - - „ ss.161,165.

„ abetting offence against s. 162 or s. 163 - - „ s.164.

„ disobeying law or framing incorrect document, with intent to cause injury - - - - „ ss.166,167.

„ unlawfully engaging in trade or buying property - „ ss.168,169.

„ authority for instituting proceedings against - - Act10,1882,s.197.

CRIMINAL LAW (INDIAN)—*cont.*

7. Offences by or relating to Public Servants—*cont.*

Taking gratification to influence public servant - - - Act45,1860,ss.162,16 Act18,

Personating public servant - - - - - - - „ ss.17
See also below, 9.

8. Contempts of lawful authority of Public Servants.

Absconding to avoid service of summons, etc. - - - „
Preventing service or publication of summons, notice, etc. - - „
Omission to attend in obedience to order of public servant - - „
„ to produce document - - - - - „
„ to give notice or information - - - - „ s.17 *Expln.* 3,18
Furnishing false information - - - - - „ s.177(3,18
Refusing to make oath or affirmation - - - - - „ s.178(8 1
„ to answer question - - - - - - „
„ to sign statement - - - - - - „
False statement on oath or affirmation - - - - „ s.181 10,18
Giving false information to cause injury - - - - „ s.182 3,1
Resistance to taking of property by lawful authority of public servant - - - - - - - - „
Obstructing sale of property - - - - - - „
Illegal purchase or bid for property - - - - - „
Obstructing public servant in discharge of public functions - - „
Omission to assist public servant - - - - - „
Disobedience to order duly promulgated by public servant - - „
Threat of injury to public servant - - - - - „
„ „ to induce person to refrain from applying for protection of public servant - - - „
Authority for instituting prosecution under ss. 172 to 178 of Act 45, 1860 - - - - - - - - - Act10,1882,
Procedure in case of offences under ss. 175, 178 to 180 of Act 45, 1860 „ ss.4 Act15,18

9. False Evidence and Offences against Public Justice.

Giving or fabricating false evidence - - - - - Act45, 1860, ss. (pt.r 1 19 9,18
Using false evidence - - - - - - - „
Issuing or using false certificate - - - - - „
Making or using false declaration - - - - - „
Withholding evidence, etc., to screen offender - - - „ ss.2 *Ex*

NAL LAW (INDIAN)—*cont.*

9. False Evidence and Offences against Public Justice—*cont.*

ing false evidence as to offence - - - - - Act45,1860,s.203(am.Act3, 1894,s.6).
etion or destruction of document - - - - „ s.204.
e personation in suit or prosecution - - - - „ s.205.
dulently removing or concealing property - - - „ s.206.
„ claiming property - - - - - „ s.207.
„ suffering decree for sum not due - - - „ s.208.
„ making false claim in Court - - - - „ s.209.
„ obtaining decree for sum not due - - - „ s.210.
charge with intent to injure - - - - - „ s.211.
uring offender - - - - - - - „ ss.130,212(am. Act3,1894, s.7),216(am. Act10,1886, s.23),216A, 216B(ins.Act 3,1894,s.8).
g or offering gift, etc., to screen offender - - - „ ss.213,214(am.Act 8,1882,s.6;pt.rep. Act10,1882).
g gift to help to recover stolen property - - - „ s.215.
servant disobeying law, or framing incorrect record, to save person from punishment or property from forfeiture „ ss.217,218.
„ corruptly making report, etc., in course of judicial proceeding - - - - - - „ s.219.
„ or other person corruptly committing for trial or keeping person in confinement - - - „ s.220.
„ omitting to apprehend person or keep person in confinement, or suffering escape - - - „ ss.221,222, 223(am.Act 27,1870,s.8), 225A(am. Act10,1886, s.24). Act27,1870,s.13(am.Act 12,1891).
„ insult or interruption to, in judicial proceeding - Act 45, 1860, section 228.
nce or obstruction to lawful apprehension - - - „ ss.224,225, 225B(am.Act 10,1886,s.24). Act27,1870,s.13(am.Act 12,1891).
ul return from transportation - - - - Act45,1860,s.226.
n of condition of remission of punishment - - - „ s.227.
tion of juror or assessor - - - - - „ s.229.
y for instituting prosecutions under ss. 193 to 196, 199, 200, 211, 228 of Act 45, 1860 - - - - - Act10,1882,s.195(*b*).
e in case of offences under Act 45, 1860—
93, 196, 199, 200 to 205, 210 - - - - Act14,1882,s.643.
3 - - - - - - - - - Act10,1882,ss.480to482. Act15,1882,Ch.12.
, for offences under ss. 193 to 195, 211, Act 45, 1860 - Act6,1864,ss.4(am.Act3, 1895,s.5),6.

CRIMINAL LAW (INDIAN)—*cont.*

10. Offences relating to Coin or Government Stamps.

Coin :
- Definition of "coin" and "Queen's coin" - - - - Act 45, 1860, s. 230 (an 19, 1872, 6,
- Counterfeiting - - - - - - - - ,, ss. 23
- ,, making, etc., instrument, etc., for - - ,, ss. 233
- Abetting in British India the counterfeiting of coin elsewhere - ,,
- Counterfeit coin; import or export of - - - - ,, ss. 2
- ,, ,, other dealings with - - - - ,, ss. 23
- Mint: employé of mint causing coin to be of unlawful weight or composition - - - - - - ,,
- ,, unlawfully taking coining instrument from - - ,,
- Fraudulently diminishing weight or altering composition of coin - ,, ss. 2
- Altering appearance of coin, etc. - - - - ,, ss. 24

Government Stamps :
- Counterfeiting - - - - - - - - ,,
- ,, making, ect., instrument, etc., for - - ,, ss.
- Dealings with - - - - - - - - ,, ss. 2
- Offences in connection with stamps already used - - - ,, ss. 2
- Fictitious stamps - - - - - - - ,, s. 263
- Meaning of "Government," as used in ss. 255 to 263A - - 3,
- Enhanced punishment for certain offences after previous conviction - ,, s. 75 (a 1

11. Offences relating to Weights and Measures

- Fraudulent use of false instrument for weighing - - - ,,
- ,, ,, weight or measure - - - - ,,
- Possessing, making, etc., false weight or measure - - - ,, ss.

12. Offences affecting the Public Health, Safety, Convenience, Decency or Mora

- Definition of "public nuisance" - - - - - ,,
- Spreading infection of disease dangerous to life - - - ,, ss
- Disobeying quarantine rule - - - - - - ,,
- Adulteration of food, drink or drugs - - - - - ,, ss. 2
- ,, ,, ,, ,, destruction of article on conviction - - - - Act 10, 1
- Sale of drug or medical preparation as different drug or preparation - Act 45, 1860, s
- Fouling water - - - - - - - ,,
- Making atmosphere noxious - - - - - - ,,
- Rash driving, riding or navigation - - - - - ,, s
- Exhibiting false light, mark or buoy - - - - - ,,
- Conveying person in unsafe vessel - - - - - ,,
- Causing danger in public way or line of navigation - - - ,,
- Negligent conduct with respect to—
  - poison, fire, combustibles, explosive, machinery or animal - ,, ss. 28
  - pulling down or repairing building - - - - ,,
- Other public nuisances - - - - - - ,,
- Continuance of nuisance after injunction to discontinue - - ,,
- Obscenity - - - - - - - - - ,, ss

NAL LAW (INDIAN)—*cont.*

Offences affecting the Public Health, Safety, Convenience, Decency or Morals—*cont.*

enity: destruction of obscene books, etc., on conviction - - Act10,1882,s.521.

ng lottery office - - - - - - - Act45,1860,s.294A(ins. Act27,1870,s.10). Act27,1870,section13.

„ „ authority for instituting prosecution for - Act10,1882,s.196.

13. Offences relating to Religion.

g place of worship, disturbing religious assembly, trespassing on l place, etc. - - - - - - - Act45,1860,ss.295to297.

ng words, etc., to wound religious feelings - - - „ s.298.

„ „ „ „ „ offence may be compounded - - Act10,1882,s.345.

14. Offences affecting the Human Body.

(a) Offences affecting Life.

e homicide and murder; attempts - - - - Act45,1860,ss.299to304, 307(am.Act27,1870, s.11),308.

„ „ „ duty to give information of offence - - - Act10,1882,s.44(am.Act 3,1894,s.1),s.45 (am.Act3,1889, s.5,Acts3and10, 1894,Reg.14, 1887,s.4).

death by negligence - - - - - - Act 45, 1860, s. 304A (ins. Act27,1870,s.12). Act27,1870,section13,

abetment and attempt - - - - - Act45,1860,ss.305,306,309 (am.Act8, 1882,s.7).

hug - - - - - - - - „ ss.310,311.

niscarriage, etc. - - - - - - „ ss.312to316.

of child; concealment of birth - - - - „ ss.317,318.

ndangering human life - - - - - „ s.336.

(b) Other offences.

rt - - - - - - - - „ ss.319to335(am. Act8,1882,s.8). 337,338.

compounding for offence - - - - Act10,1882,s.345.

angering personal safety - - - - Act45,1860,section336.

straint and wrongful confinement - - - „ ss.339to348.

„ „ „ „ compounding for offence Act10,1882,s.345.

e and assault - - - - - - Act45,1860,ss.349to358.

„ whipping - - - - - Act6,1864,ss.4(am.Act3, 1895,s.5) 6.

„ compounding for offence - - - Act10,1882,s.345.

d abduction - - - - - - Act45,1860,ss.359to369.

- - - - - - - „ ss.370,371.

ng minor for purposes of prostitution, etc. - - „ ss.372,373.

CRIMINAL LAW (INDIAN)—*cont.*

14. Offences affecting the Human Body—*cont.*

(*b*) *Other offences*—cont.

Unlawful compulsory labour - - - - - Act45,1860
„ „ „ compounding for offence - - Act10,188
Rape - - - - - - - - - Act45,1860,ss.375(10,1891,s
„ whipping - - - - - - - Act6,1864,ss.4(a 189
Unnatural offences - - - - - - - Act45,18(
„ „ whipping - - - - - - Act6,1864,ss.4(a 18

15. Offences against Property.

Theft - - - - - - - - - Act45,1860,ss.3
„ obligation to give information of offence under s. 382, Act 45, 1860 - - - - - - - Act10,1882,s.44 1894,s.1 Acts3,
„ whipping - - - - - - - Act6,1864,ss.2,3
Extortion - - - - - - - - Act45,1860,ss
„ whipping - - - - - - - Act6,1864,ss.2,3
Robbery and dacoity - - - - - - - Act45,1860,ss
„ „ „ obligation to give information of offences - Act10,1882,ss.4 1894,s Act3,188 10,18
„ „ „ whipping - - - - Act6,1864,ss.4 1
Criminal misappropriation of property - - - - Act45,1860,
„ breach of trust - - - - - - „ ss
Receiving, etc., stolen property - - - - - „ ss.41 189
„ „ „ „ whipping - - - Act6,1864,ss.2, 3
Cheating - - - - - - - - Act45,1860,
Fraudulent deeds and dispositions of property - - - „
Mischief - - - - - - - - - „ ss.4
„ with respect to documents - - - - - „
„ obligation to give information of offence - - Act10,1882,s 1 A
„ compounding for offence - - - - - „
Running vessel aground or ashore to commit theft, etc. - - Act45,18
Criminal trespass - - - - - - - „
„ „ obligation to give information of offence - Act10,188

MINAL LAW (INDIAN)—*cont.*

15. Offences against Property—*cont.*

riminal trespass; compounding for offence - - - - Act10,1882,s.345.
„ „ whipping - - - - - Act6,1864,ss.2,3,4(am.Act 3,1895,s.5),6.
shonestly breaking open receptacle containing property - - Act45,1860,secs.461,462.
hanced punishment for certain offences after previous conviction - - - - - - - - - „ s.75(am.Act10, 1886,s.22).

16. Offences relating to Documents.

gery - - - - - - - - - - „ ss.463,465to469.
nition of "making a false document" - - - - „ s.464.
ng, or intending to use, as genuine, a forged document - - „ ss.470,471,474.
king, etc., counterfeit seal, mark, etc. - - - - „ ss.472,473,475, 476.
dulent cancellation, destruction, etc., of will, authority to adopt, valuable security - - - - - - „ s.477.
hority for instituting prosecutions under ss. 463, 471, 475, 476, t 45, 1860 - - - - - - - Act10,1882,s.196(*c*).
edure in case of offences under ss. 463, 471, 474, 475, 476, 477, Act , 1860 - - - - - - - - - Act14,1882,s.643.
pping for offences under ss. 463, 466 to 469 - - - Act6,1864,s.4(am.Act3, 1895,s.5),s.6.
fication of accounts, etc. - - - - - - Act45,1860,s.477A(ad.Act 3,1895,s.4).
„ „ punishment of native agents of landholders for falsification, etc., of accounts - Ben.Reg.12,1817,s.30(pt. rep.Act12,1876).

17. Trade, Property and other Marks.

itions and punishments. (*See* MERCHANDISE MARKS) - Act 45, 1860, ss.478to489 (ins.Act4,1889, s.3).

18. Criminal Breach of Contracts of Service.

h of contract of service during journey - - - „ s.490.
„ to attend on or supply wants of helpless person - „ s.491.
„ to serve at distant place to which servant is conveyed at master's expense - - - „ s.492.
ance of offence may be taken only on complaint by aggrieved - - - - - - - - - Act10,1882,s.198.
nding for offence - - - - - - - „ s.345.

19. Offences relating to Marriage.

tion caused by man deceitfully inducing belief of lawful ge - - - - - - - - - Act45,1860,section493
- - - - - - - - - „ ss.494,495.
ently going through marriage ceremony without lawful ge - - - - - - - - - „ s.496.
ce of offences under ss. 493 to 496 may be taken only on com- of aggrieved party - - - - - - Act10,1882,s.198.
- - - - - - - - - Act45,1860,s.497.
in Sindh, Punjab and British Baluchistan frontier districts; married woman punishable - - - - Reg.5,1872,s.7. Reg.4,1887,ss.14,32.

CRIMINAL LAW (INDIAN)—*cont.*

19. Offences relating to Marriage—*cont.*

Enticing, etc., married woman - - - - - - Act45,1860,s.4
Cognizance of offence under s. 497 or s. 498 may be taken only on complaint by husband or guardian of woman - - - Act10,1882,s.
Compounding offence under s. 497 or s. 498 - - - - - „ s

20. Defamation.

Definition, exceptions and punishments - - - - Act45,1860,ss.499
Cognizance of offence may be taken only on complaint by aggrieved party - - - - - - - - Act10,1882,
Compounding for offence - - - - - - - „
Destruction of defamatory documents on conviction - - - „

21. Criminal Intimidation, Insult and Annoyance.

Definitions and punishments - - - - - Act45,1860,ss.503
Whipping in Upper Burma for criminal intimidation - - Act20,1886,s.7(*c*),Sc
Compounding for certain offences - - - - - Act10,1882

22. Abetment and Attempts.

Definitions of "abetment" and "abetter" - - - - Act45,1860,ss.10
Punishment for abetment - - - - - - „ ss.109
„ „ attempt to commit offence - - - - „
Ss. 107 to 120 and 511 applied to offences under sections added by Act 27, 1870 - - - - - - - Act27,1870,s.13(am.
Compounding for abetment or attempt - - - - Act10,1882
Suicide - - - - - - - - - Act45,1860,ss.305,3 (am.Act8,188

23. Procedure.

See CRIMINAL PROCEDURE (INDIAN).

24. Special and Local.

Indian Penal Code (Act 45, 1860) declared in force—
in the Santhál Parganas - - - - - - Reg.3,1872,s.3(am
in the Arakan Hill District - - - - - Reg.9,1
in Upper Burma generally (except the Shan States) - - Act20,1
in British Baluchistan - - - - - - Reg.1,1
in Angul and the Khondmals - - - - - Reg.1,1
in Kachin Hill-tracts, as regards hill-tribes (with modification) - Reg.1,1
in certain tracts in the Chin Hills (with modification) - - Reg.5,
Acts 27, 1870, and 19, 1872 (amending Penal Code), declared in force in—
the Santhál Parganas - - - - - - Reg.3,1872,s.3(a
the Arakan Hill District - - - - - - Reg.9
Upper Burma generally (except the Shan States) - - Act2
Acts 8, 1882, and 10, 1886, ss. 21 to 24 (amending Penal Code), declared in force in—
the Santhál Parganas - - - - - - Reg.3,1872,s.3(a
Upper Burma generally (except the Shan States) - - Act2

IMINAL LAW (INDIAN)—*cont.*

24. Special and Local—*cont.*

ct 24, 1855 (Penal Servitude), declared in force—
in the Santhál Parganas - Reg.3,1872,s.3(am.Reg.3, 1886).
in Upper Burma generally (except the Shan States) Act20,1886,s.6.
in British Baluchistan Reg.1,1890,s.3.
t 6, 1864 (Whipping), declared in force—
in the Santhál Parganas - Reg.3,1872,s.3(am.Reg.3, 1886).
in Upper Burma generally, except the Shan States (with additions and with the exception of s. 6) Act20,1886,ss.6,7.
in British Baluchistan Reg.1,1890,s.3.
in Angul and the Khondmals Reg.1,1894,s.3.
in Kachin Hill-tracts, as regards hill-tribes (with a modification) Reg.1,1895,s.3.
in certain tracts in the Chin Hills (with a modification) Reg.5,1896,s.3.
ian Penal Code applied to offences committed before 1st January, 863, in—
Punjab Act4,1872,s.39.
Ajmere Reg.3,1877,s.29.
ian Penal Code repealed in Sindh Frontier, so far as Reg. 5, 1872, inconsistent with the Code Reg.5,1872,s.11.
local laws, see also ANGUL; BURMA (3); CHIN HILLS; ISTURBED DISTRICT; FRONTIER; GANJAM AND VIZAGAPATAM; ACHIN HILLS; SPITI.
special laws, see EXCISE; COINAGE; MERCHANDISE MARKS; URDEROUS OUTRAGES; PRECIOUS STONES *and other heads.*

NAL LUNATICS ACT, 1884. (*See* LUNATIC) 47-8V.c.64.

NAL PROCEDURE CODE AMENDMENT ACT, 1884 Act3,1884.

NAL PROCEDURE (INDIAN).

. Mad. Reg. 11, s. 47 (Maintenance of the peace).
Ben. Reg. 20, s. 30 (Prevention of offences).
Bom. Reg. 12, s. 27 (2) (Prevention of offences).
Bom. Reg. 13, s. 34 (3) (Summons).
Ben. Reg. 1, s. 7 (Pardon).
Act 13, ss. 46, 88, 89 (Police, Bombay Town).
Act 20, s. 52 (Prevention of offences).
Act 21, ss. 1, 3 (Prevention of offences, Howrah).
Ben. Act 2, ss. 16, 44 (Police, Calcutta Suburbs).
Ben. Act 4, ss. 32, 74, 75 (Police, Calcutta).
Act 16 (Acting Judges).
Bom. Act 8, ss. 6, 8 (Prevention of offences).
1869. Ben. Act 5 (Place of trial by Court of Session).
1870. Ben. Act 6, s. 39 (Prevention of offences).
1872. Reg. 3, s. 3 (Laws, Santhál Parganas).
„ Reg. 5, s. 11 (Sindh Frontier).
1873. Act 16, s. 8 (Prevention of offences).
1874. Act 15, ss. 5, 6 (Laws Local Extent).
1875. Act 10, ss. 144, 146 (Powers of Advocate General).
1876. Reg. 3, s. 13 (Andamans).
1877. Act 4, s. 57 (Fees for processes).
„ Reg. 1, ss. 38, 39, 41 (Courts, Ajmere).
1879. Act 21, s. 17A (Extradition, etc.).
1881. Reg. 2, s. 18 (Courts, Coorg).
1882. Act 10 (Code of Criminal Procedure).
1883. Reg. 1, s. 18 (Prevention of offences).
1884. Mad. Act 7, s. 29 (City of Madras Municipality).

CRIMINAL PROCEDURE (INDIAN)—*cont.*

1887. Act 15, s. 8 (Gaming, Burma).
„ Ben. Act 5, ss. 22, 30 (Prevention of offences).
„ Reg. 4, ss. 7, 9, 46 (Punjab and British Baluchistan Frontier).
„ Reg. 9, s. 5 (Frontiers, etc.).
„ Reg. 12, s. 9 (Precious Stones, Upper Burma).
„ Reg. 14, ss. 7, 9, 37 to 46 (Punjab and British Baluchistan Frontier).
1888. Mad. Act 3, ss. 25, 64 (Police, Madras City).
1889. Act 11, ss. 28 to 32, 37, 45, 48 (Courts, Lower Burma).
1890. Bom. Act 4, ss. 42 to 44, 46, 50, 55, 68, 70, 71 (Breach of the peace).
„ Reg. 1, s. 3 (Laws, British Baluchistan).
1892. Reg. 3, s. 27 (Sindh Frontier).
„ Reg. 5 (Criminal Justice, Upper Burma).
1893. Reg. 5, s. 4 (Justice, Santhál Parganas).
1894. Reg. 1, s. 3 (Laws, Angul).
1895. Reg. 1, s. 3 (Laws, Kachin Hills).
1896. Reg. 5, s. 3 (Laws, Chin Hills).
„ Reg. 8, s. 3 (Criminal Justice, British Baluchistan).

1. Preliminary.
2. Criminal Courts and Offices.
3. Aid and Information to Magistrates, etc.
4. Arrest, Escape and Retaking.
5. Processes.
6. Prevention of Offences.
7. Information to the Police, and Investigation thereon.
8. Proceedings in Prosecutions.
9. Sentences.
10. Appeal, Reference and Revision.
11. Special Proceedings.
12. Supplementary Provisions.
13. Special and Local.

1. Preliminary.

Act 10, 1882 (the Code of Criminal Procedure, 1882)—
extends to whole of British India - - - - Act 10, 1882, secti
not to affect special or local laws, etc., except as specifically provided - - - - - - - - „ s.1(pt.rep. 13,
Saving of notifications, etc., under, and references in, prior Acts - „
General definitions - - - - - - - - „ s.4(am.Act5 s.1,Act11 s.97),Sch.I Act10,18 Act3,18
Offences under Indian Penal Code and other laws to be tried under Act 10, 1882; saving of provisions of such other laws - - „

2. Criminal Courts and Offices.

Classes of Courts - - - - - - - - „
Sessions Divisions, Districts and Sub-divisions; constitution and alteration of - - - - - - - - „
Constitution of Courts of Session and appointment, etc., of Sessions Judges - - - - - - - - „
Power to appoint Acting Judges - - - - - Act
Appointment, etc., of Provincial Magistrates - - - Act 10, 1882, ss.1
Benches of Magistrates; constitution, etc., of - - - „ s
Appointment, etc., of Presidency Magistrates - - - „
„ „ of Justices of the Peace - - - - „ ss.22to 3
Suspension and removal of Judges, Magistrates and Justices of the Peace - - - - - - - - „

INAL PROCEDURE (INDIAN)—*cont.*

2. Criminal Courts and Offices—*cont.*

ers of Courts :

Offences cognizable by Courts of various classes - - - Act 10, 1882, ss.28to30, Sch.II(am.Act10, 1891,s.3;Act3, 1894, s.4).

Ordinary and additional powers of Magistrates - - - ,, ss.36to38,Sch.III (am.Act12, 1891), Sch.IV

nferment, continuance and cancellation of powers - - ,, ss.39to41.

entences which may be passed. *See below*, 9 (*J*).

sterial powers of police officers:

See POLICE, I, A, 2; B; D, 1; F, 2; G, 2; H, 2; J, 2.

3. Aid and Information to Magistrates, etc.

when bound to assist Magistrates and police - - - ,, s.42.

person (other than police officer) executing warrant - - ,, s.43.

bound to give information of certain offences - - ,, s.44(am.Act3,1894, s.1;Act10,1894, s.1).

village officers, owners and occupiers of land and their ts, and officers collecting revenue or rent for Government or Court of Wards, bound to give information of certain ces - - - - - - - - ,, s.45[am.Act3,1894, s.2;Act10,1894,s. 2;am.(U.B.)Reg. 14,1887,s.4;am. (L.B.)Act3,1889, s.5].

4. Arrest, Escape and Retaking.

how made - - - - - - - - ,, s.46.

when death may be caused in effecting - - - ,, s.46.

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,, arrested persons - - - - - ,, ss.51,52.

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police, *in* what cases allowed - - - - ,, s.54(am.Act14, 1887,s.78;Act3, 1894,s.3),s.55 (am.Act10,1886, s.3),ss.59,151.

,, on refusal to give name and residence - - ,, ss.57,59.

,, written order to be given to subordinate officer required to make arrest - - - - ,, s.56(am.Act10, 1886,s.3).

, pursuit of offender into other jurisdictions - - ,, s.58.

detention of persons arrested under extradition law or under Fugitive Offenders Act, 1881 - - Act21,1879,s.17A(ad. Act5,1896,s.6).

ivate person, in what cases allowed - - - Act10,1882,section59. (Bo. Town)Act13,1856, ss.88,89. (Cal.)Ben. Act4,1866, ss.74,75.

CRIMINAL PROCEDURE (INDIAN)—*cont.*

4. Arrest, Escape and Retaking—*cont.*

Arrest without warrant—*cont.*:

By private person, in what cases allowed—*cont.* - - (Cal.Sub.)Be… 186 (M.City)Mad.Act…

By or by direction of Magistrate - - - - Act10,1882,sectic…

Arrested person how to be dealt with - - - - „ ss.5…

Report of arrests to Magistrate - - - - „

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Arrest under warrant. *See below*, 5 (1).

Escape or rescue: power to pursue and re-arrest offender; ss. 47 to 49 to apply - - - - - - „

5. Processes.

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„ service of - - - - - „

Warrant of arrest; form of - - - - - „ s.75,Sch.…

„ „ continuance of - - - - „

„ „ release of offender on giving security - „ s.76,Sch.…

„ „ to whom to be directed - - - „

„ „ execution of; arrested person how to be dealt with - - - - „

Power to issue warrant in lieu of, or in addition to, summons „ s.90,Sch.…

Foregoing provisions applicable to all summonses and warrants of arrest issued under Act - - - - „

Power of Court to substitute order or letter for summons in certain cases - - - - - - Bom.Reg.13,18… (pt.rep.Ac…

Bom. Reg. 13, 1827, s. 34 (*3*), declared in force throughout the Bombay Presidency, except as regards the Scheduled Districts - - - - - - - Act1…

Fees to be paid for summonses and warrants issued by Presidency Magistrate, except in certain cases - - Act…

(2) Proclamation for person absconding - - - - Act 10,1882,sec…

(3) Attachment of property of persons absconding; restoration of property - - - - - - „ s.88 18…

(4) Bond for appearance: power to require, when offender is present in Court; arrest on breach of bond - - - „

Processes to compel production of documents and other moveable property:

Summons or order to produce - - - - - „

Letters and telegrams in custody of postal or telegraph authorities how to be obtained - - - - „

Search-warrant - - - - - - - „ ss.96,… 1,18…

AL PROCEDURE (INDIAN)—*cont.*

5. Processes—*cont.*

sses to compel production of documents and other moveable perty—*cont.* :

Search-warrant: disposal of things found in search beyond jurisdiction - - - - - - - - Act 10, 1882, section 99.
h-warrant for discovery of person wrongfully confined - - „ ss.100to103.
to impound document, etc., produced in Court - - „ s.104.
of Magistrate to direct search in his presence - - „ s.105.

6. Prevention of Offences.

urity for keeping the Peace and Security for Good Behaviour.

y for keeping the peace on conviction :

ower to order execution of bond - - - - „ s.106,Sch.V, Form10.
y for keeping the peace in other cases, and security for good viour: power to require; procedure - - - - „ ss.107to109,110, (am.Act10,1886, s.5),111to119, Sch.V,Forms11,12.
tion of ss. 110, *et seq.*, of Act 10, 1882, to persons earning ihood by carrying on game of *ti* in Burma - - - Act15,1887,s.8.
lings in all cases subsequent to order to furnish security - Act10,1882,ss.120to126, Sch.V,Forms13to15.
II (ss. 106 to 126) of Act 10, 1882, modified—
Punjab and British Baluchistan Frontier Districts - - Reg.4,1887,s.46.
Sindh Frontier - - - - - - Reg.3,1892,s.27.
to 126 of Act 10, 1882, applied to cases under s. 5 of Reg. 9, (Frontier Crossing and Disturbed Districts) - - - Reg.9,1887,s.5.

(b) Unlawful Assemblies.

ion of - - - - - - - - Act10,1882,secs.127to132.

(c) Nuisances.

and procedure for removal of public nuisances - - „ ss.133to143,Sch. V,Forms16to20.
to issue temporary order absolute at once in urgent case of nce - - - - - - - - „ s.144,Sch.V, Form21.
to 144 of Act 10, 1882, extended to City of Madras, with ication - - - - - - - - Mad.Act7,1884,s.29.

(d) Disputes as to Immoveable Property.

likely to cause breach of the peace—
erning tangible immoveable property: power to continue one rty in possession or to attach property; pending decision of vil Court - - - - - - - - Act10,1882,secs.145,146, Sch.V, Forms22,23.
erning easements, etc.: power to permit or prohibit action nding decision of Civil Court - - - - „ s.147,Sch.V, Form24.
enquiry - - - - - - - „ ss.145,147,148.
of proceedings - - - - - - „ s.148.

(e) Preventive action of the Police.

revent cognizable offences and may make arrest - - „ ss.149to151.
interpose to prevent injury to public property - - „ s.152.

CRIMINAL PROCEDURE (INDIAN)—*cont.*

6. Prevention of Offences—*cont.*

(*c*) *Preventive action of the Police*—cont.

Police may inspect weights, measures and instruments for weighing, and seize false ones - - - - - - - Act10,18

(*f*) *Miscellaneous.*

Powers of District Magistrate for prevention of offences when security cannot be furnished - - - - - - - Bom.Reg.12,18 (am 3

Bom. Reg. 12, 1827, s. 27 (*2*), declared in force throughout the Bombay Presidency, except as regards the Scheduled Districts - Act15,1874, (am.Ac

Power of Magistrate to issue orders, etc., to prevent breach of the peace; enforcement of such orders; penalties - - - Bom.Act4,1890, 50

Power of Magistrate to disperse, etc., gangs; enforcement of orders; penalty - - - - - - - - - „ ss.4

Magistrates charged with maintenance of the peace, and to apply for assistance of the military when necessary - - - Mad.Reg.11,18 rep.Ac

Mad. Reg. 11, 1816, s. 47, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts - Act1

Penalty for being armed or disguised with intent to commit offence, or for loitering, etc.; arrest without warrant - - - (Bo.Town)A (Cal.)Ben.Act4, (Cal.Sub.)Ben.A (Howrah)Ac (M.City)Mad.A

Duties and powers of local police as to prevention of offences:

Chaukidars - - - - - - - Act20, Ben.Act6,1870 (am.Ben.

Village police - - - - - - - Ben.Act5,1887,

Road patrols - - - - - - - „

Village and road police - - - - - - (N.)Act1

Police daroghas - - - - - - (Ben.,N.)Ben.R s.3

Rural police - - - - - - - (As.)Reg.1,18 Act5,18

Police patels - - - - - - - Bom.Act8,

Ben. Reg. 20, 1817, s. 30 (*1*), (*2*), (*5*), declared in force throughout Bengal, except as regards the Scheduled Districts - - - Act15,18 (am.A

Prevention of offences in forest. *See* FOREST, 7.

7. Information to the Police, and Investigation thereon.

Information to be recorded, etc. - - - - - Act 10, 1882,

Investigation by police into non-cognizable case to be held only on order of Magistrate; procedure - - „

„ „ „ into case of rape by husband not to be made by police officer of rank lower than Inspector „ s.5

PROCEDURE (INDIAN)—*cont.*

7. Information to the Police, and Investigation thereon—*cont.*

ation by police into cognizable case may be held without of Magistrate; procedure — Act 10, 1882, ss.156 to 158.

ation of witnesses, and record of statements and confessions, lice — „ secs.160 to 164 (s.162 am. Act 10, 1886, s.6).

y police — „ ss.165, 166.

proceedings in police investigation — „ s.172.

mpletion of police investigation; report to Magistrate — „ s.173 (am. Act 10 1886, s.7).

f investigation by subordinate police officer — „ s.168.

f accused when evidence deficient — „ s.169, Sch. V, Form 25.

when to be sent to Magistrate; bond of accused and witor appearance before Magistrate — „ ss.167, 170, Sch. V, Form 26.

ants and witnesses not to be required to accompany police to Court, nor to be subjected to unnecessary restraint; for cases of recusancy — „ s.171.

tion by Magistrate into cognizable case — „ s.159.

eaths; investigation and report by police — „ s.174 (am. in

„ examination of witnesses by police — „ s.175 Mad.

„ and death of person in custody of police: enquiry by Magistrate; his power to disinter corpse — „ s.176 City, Act 5, 1889, s.4).

8. Proceedings in Prosecutions.

(1) Jurisdiction of Courts in Inquiries and Trials.

inquiry or trial — „ ss.177 to 185.

„ „ issue of summons or warrant for offence committed beyond local jurisdiction; procedure on arrest — „ ss.186, 187.

„ „ of British subjects in British India for offences committed elsewhere — „ ss.188 to 190.

Court of Session to hold trials at places appointed by overnment and approved by High Court — Ben. Act 5, 1869.[1]

rial of European British subject — Act 10, 1882, s.336. (L.B.) Act 11, 1889, s.37.

ding of trial, etc., in wrong place invalidates the pro- — Act 10, 1882, section 531.

requisite for initiation of proceedings:

cognizance of offence may be taken—

y Magistrate — „ s.191 (am. Act 3, 1884, s.2).

y Judges of Court of Session — „ s.193.

y High Court — „ s.194.

er of cases by Magistrate — „ s.192.

n or complaint of public servant, Court, Government, or y aggrieved, required before Court takes cognizance of in offences — „ ss.195 to 199.

[1] 5, 1869, has been declared, by notification under the Scheduled Districts Act, 1874, to be in force Cachar (excluding the North Cachar Hills), Durrung, Goalpara (excluding the Eastern Dvars), Kamrup, ng, Sibsagar and Sylhet, in Assam.

CRIMINAL PROCEDURE (INDIAN)—*cont.*

8. Proceedings in Prosecutions—*cont.*

(2) *Complaint to Magistrate.*

Cognizance of rape by husband to be taken by Chief Presidency Magistrate or District Magistrate only - - - - - Act 10, 1882, sec. 1
Examination of complainant - - - - - - - ,,
Procedure where Magistrate not competent to take cognizance of case - - - - - - - - - - ,,
Postponement of issue of process - - - - - - ,,
When process to issue - - - - - - - - ,,
Power to dispense with personal attendance of accused - - - - ,,
Dismissal of complaint - - - - - - - - - ,,

(3) *Inquiry into cases triable by Court of Session or High Court.*

Power to commit for trial - - - - - - - - ,,
Procedure in inquiries preparatory to commitment: taking evidence; charge; list of witnesses - - - - - - ,,
Discharge of accused - - - - - - - - - ,,
Order of commitment; commitment of person charged jointly with European British subject; quashing of order - - - - ,,
Securing attendance of witnesses and complainant before Court to which accused committed - - - - - - - - ,,
Commitment to be notified, and charge, etc., forwarded - - - - ,,
Custody of accused pending trial - - - - - - - ,,
See also below, 11 (*1*).

(4) *The Charge.*

Form, contents, etc., of charge - - - - - - - ,,
Alteration of charge - - - - - - - - - ,,
Effect of material error in charge - - - - - - - ,,
Joinder of charges - - - - - - - - - ,,
Withdrawal of remaining charges on conviction on one of several charges - - - - - - - - - - ,,

(5) *Trials by Magistrates.*

Summons cases; procedure in trial of - - - - - - - ,,
Warrant cases; ,, ,, - - - - - - - ,,
Summary trials:
By what Magistrates or Benches of Magistrates - - - ,,
For what offences - - - - - - - - ,,
Procedure - - - - - - - - - - ,,
Limit to imprisonment - - - - - - - - ,,
Record and judgment - - - - - - - - ,,
Employment of clerk by Bench - - - - - - ,,

PROCEDURE (INDIAN)—*cont.*

8. Proceedings in Prosecutions—*cont.*

) *Trials before High Courts and Courts of Session.*

n of "High Court" - - - - - -	Act10,1882,s.266(am.Act 10,1886,s.8 ;Act11, 1889,s.97).
ore High Court to be by jury - - - - -	,, s.267.
Court of Session to be by jury or with assessors -	,, ss.268,269(am. Act10,1886,s.9 ; Act13,1896,s.1).
,, ,, to be conducted by Public Prosecutor -	,, s.270.
t ; time and place for holding sittings - - -	,, ss.334,335.
place of trial of European British subjects and persons charged jointly with them - - - - -	,, s.336. (L.B.)Act11,1889,s.37.
ment of trial - - - - - - -	Act 10, 1882,secs.271,272.
r assessors for several trials - - - -	,, s.272.
nsustainable charge before High Court - - -	,, s.273.
ber of jurors ; choosing of jurors ; special jury ; objec- jurors ; foreman ; swearing ; procedure when juror ceases d ; discharge on sickness of prisoner - - -	,, ss.274to276(am. Act13,1896,s.2), 277to283.
hoosing of ; procedure when juror unable to attend -	,, ss.284,285.
rors for High Court and summoning jurors for that - - - - - - - - - -	,, ss.312(am.Act5, 1887,s.2),313to318,
rs and assessors for Court of Session, and summoning d assessors for that Court - - - -	,, ss.319(am.Act13, 1896,s.4),320 to325,325A (ad.Act13. 1896,s.5),326 (am.Act13, 1896,s.6),327to 330,330A(ad. Act13,1896,s. 7),331,332,Sch. V,Forms32,33.
assessors for trial of European British subjects, etc. , 11 (*i*).	
r trial to close of cases for prosecution and defence -	,, ss.286to296.
dvocate General to stay prosecution in High Court -	,, s.333.
dvocate General—	
it informations to High Court - - - -	Act10,1875,s.144.
nolle prosequi - - - - - - -	,, s.146.
, s. 146, except so much as relates to informations, - - - - - - - -	Act 10, 1882, sec. 2, Sch.I.
conclusion of trial—	
ied by jury - - - - - - -	,, ss.297to306,307 (am.Act13, 1896,s.3).
,, with assessors - - - - - -	,, s.309.
cused after discharge of jury - - - -	,, s.308.
ase of previous conviction - - - -	,, s.310(am.Act3, 1891,s.9).
11 (*l*).	

CRIMINAL PROCEDURE (INDIAN)—*cont.*

8. Proceedings in Prosecutions—*cont.*

(7) *Evidence.*

Evidence ordinarily to be taken in presence of accused or his pleader - - - - - - - - - Act 10, 1882, s
In Chartered High Court and Punjab Chief Court; power of Court to make rules as to record of evidence - - - - „
In other Courts:
Manner of recording evidence in different cases - - - „ ss.3
Record of remarks respecting demeanour of witness - - „
Examination of accused how to be recorded - - - „
Interpretation of evidence to accused or his pleader - - - „
Commissions for examination of witnesses - - - - „
Deposition of medical witness - - - - - „
Report of Chemical Examiner - - - - - „ s.51
Previous conviction or acquittal how proved - - - - „
Record of evidence in absence of accused - - - - „
Courts and persons before whom affidavits may be sworn - - „
Power to summon material witness or examine person present - „
„ of Presidency Magistrate to order prisoner in jail to be brought up for examination - - - - „
Interpreter bound to interpret truthfully - - - - „

(8) *Judgment.*

Judgment; mode of delivering - - - - - „ s.
„ language of - - - - - - „
„ contents of - - - - - - „
„ by Presidency Magistrate; contents of - - - „
„ restrictions on alteration of - - - - „
Copy of judgment and of heads of charge when to be given to accused. „
Sessions Judge to inform person sentenced to death of period within which appeal should be preferred - - - - „
Translation of judgment - - - - - - „ ss.3 1
Court of Session to send copy of its finding and sentence to District Magistrate - - - - - - „

(9) *Miscellaneous Provisions.*

Tender of pardon to accomplice; no other influence to be used to induce disclosures - - - - - - „
Magistrates and Joint Magistrates authorised to tender pardon - Ben.R
S. 337 of Act 10, 1882, amended in Punjab and British Baluchistan Frontier Districts - - - - - - R
Right of accused to be defended - - - - - Act 10, 1882
Procedure where accused does not understand proceedings - - „
Power to examine accused - - - - - - „
„ postpone or adjourn proceedings - - - - „
Compounding offences - - - - - - „
Procedure where Magistrate finds he cannot dispose of case or should commit accused to higher Court or cannot pass sentence sufficiently severe - - - - - - „

L PROCEDURE (INDIAN)—*cont.*

8. Proceedings in Prosecutions—*cont.*

(9) *Miscellaneous Provisions*—cont.

ment of person previously convicted of offence punishable r Ch. XII (Coin and Stamps) or Ch. XVII (Offences against erty) of Indian Penal Code — Act 10, 1882, section 348.

tion or commitment on evidence recorded partly by one trate and partly by another — „ s.350

n of offenders attending Court — „ s.351.

be open — „ s.352.

ace convicted or acquitted not to be tried for same offence — „ s.403.

9. Sentences.

(1) *Powers of Courts.*

s which may be passed by Courts of various classes—

ally — „ ss.31to35(ss.31,34 am.Act10,1886, ss.1,2).

uropean British subjects — „ ss.446(am.Act3, 1884,s.5),449.

(2) *Submission for confirmation.*

Session's sentence of death: submission of, to High powers and procedure of High Court — „ ss.31,374to379,Sch. V,Form34.

entences passed by Assistant Sessions Judge or by specially ered District Magistrate to be submitted to Sessions Judge firmation; powers and procedure of Sessions Judge — „ s.31,s.34(am. Act10,1886, s.2), s.380.

tion not required of certain sentences passed by specially ered District Magistrate in Punjab or British Baluchistan er District — Reg.4,1887,s.7(*1*).

(3) *Execution.*

n of order passed by High Court on reference from Court ion — Act10,1882,sec.381,Sch.V, Forms 35,36.

nent and commutation of capital sentence on pregnant — „ s.382,Sch.V, Form36.

of sentence of transportation — „ ss.381,383.

„ imprisonment — „ ss.381,383,384.

— „ ss.384,385,389, 400.

r levy of fine — „ ss.386to389,Sch. V,Form37.

„ „ provisions of Act 10, 1882, as to, applied to fines imposed under any Act, Regulation, rule or bye-law — Act10,1897,s.25.

of imprisonment for fine on execution of bond — Act 10, 1882, section388.

of sentence of whipping — „ ss.390to395.

„ „ on escaped convicts and on offenders already sentenced for another offence — „ ss.396to398(am. Act10,1886, s.10).

t of youthful offenders in reformatories. (*See also* L OFFENDER) — „ s.399(pt.rep.locally Act8,1897,s.3).

arrant on execution of sentence — „ s.400.

CRIMINAL PROCEDURE (INDIAN)—*cont.*

9. Sentences—*cont.*

(*4*) *Suspensions, Remissions and Commutations.*

Power of Government to suspend or remit sentences, and cancel suspension or remission; saving of right of Her Majesty to grant pardons, etc. - - - - - - Act 10, 1882, s.40 10,18

Power of Court to suspend execution of sentence—

pending appeal - - - - - - - - ,,

„ report to High Court - - - - - - ,,

Power of Government to commute sentences - - - - ,,

„ of High Court to commute sentence of death passed on pregnant woman - - - - - - - ,,

10. Appeal, Reference and Revision.

Appeal: none, unless expressly provided by law - - - ,,

„ „ when accused convicted by Court of Session or Presidency Magistrate on plea of guilty; exception - ,,

„ „ in certain petty cases; exception - - - - ,, ss.

„ from order or sentence of Magistrate or Sessions Judge under Act 10, 1882, when and to whom to lie - - ,, ss.4

„ from certain sentences of District Magistrate in Punjab or British Baluchistan Frontier District to lie to Chief Court, Punjab - - - - - - - Reg.4,188

„ by Government against acquittal; arrest of accused; abatement of appeal on death of accused - - - Act10,1882,secs.

„ against order for payment of compensation for frivolous or vexatious accusation - - - - - - ,, s.560(

„ on what matters admissible - - - - - - ,, ss

„ procedure for preferring - - - - - - ,, ss.

„ summary rejection of, or notice of hearing of - - ,, ss.

„ powers and procedure of Appellate Court - - - ,, ss.4

„ finality of orders passed on; exceptions - - - ,,

„ abatement of, on death - - - - - - ,,

Reference and revision:

Reference by Presidency Magistrate or Judge of High Court to High Court - - - - - - - ,, ss.4

Power to call for records of inferior Courts - - - ,, ss

„ order commitment - - - - - - ,,

„ „ enquiry - - - - - - - ,,

„ report to High Court - - - - - ,,

High Court's powers of revision - - - - - ,,

Optional with Court to hear parties - - - - - ,,

High Court's order to be certified to lower Court - - ,,

See also below, **11** (*3*), **12** (*2*).

11. Special Proceedings.

(*1*) *Proceedings against European British subjects, Europeans and Americans.*

What Magistrates and Judges of Courts of Session may enquire into and try charges against European British subjects - - ,, ss.443

CRIMINAL PROCEDURE (INDIAN)—*cont.*

11. Special Proceedings—*cont.*

(1) Proceedings against European British subjects, Europeans and Americans—cont.

Sentences which may be passed on European British subjects—
by Provincial Magistrates - - - - - - Act 10, 1882, s.446(am. Act3,1884,s.5).
by Courts of Session - - - - - - - „ s.449.
European British subject when to be committed to High Court and when to Court of Session - - - - - - „ ss.447,448.
Proportion of jurors or assessors to be Europeans or Americans in case of trial of—
European British subject - - - - - - „ s.451(am.Act 3,1884,s.7).
other European, or American - - - - - - „ s.460.
Right of European British subject to claim jury before District Magistrate - - - - - - - - „ ss.451A,451B(ad. Act3,1884,s.8).
Summoning and empanelling of jurors - - - - - „ s.462(am.Act 3,1884,s.10).
Procedure where European British subject charged jointly with native - - - - - - - - - „ ss.336,461. (L.B.)Act11,1889,s.37.
Procedure where other European, or American, charged jointly with native - - - - - - - - - Act10,1882,section461.
Procedure on claim to be dealt with as an European British subject; failure to plead status a waiver - - - - - - „ ss.453,454.
Trial, etc., as European British subject, not invalid, if accused has not that status and does not object - - - - - „ s.455.
Right of European British subject unlawfully detained to apply for order to be brought before High Court - - - - „ ss.456to458.
Enactments conferring jurisdiction on Magistrates or Courts of Session to be deemed to apply to European British subjects - „ s.459(am.Act3, 1884,s.9).
Proceedings to be conducted according to provisions of Act 10, 1882 „ s.463.

(2) Lunatics.

Postponement of trial when accused is lunatic; power to release him or confine him in asylum; resumption of inquiry or trial - „ ss.464to468,473.
Procedure where accused is sane, but appears to have been insane when act for which he is charged was done - - - „ s.469.
Judgment of acquittal on ground of lunacy; accused when to be kept in custody - - - - - - - - - - „ ss.470,471.
Visiting of lunatic in confinement - - - - - - „ s.472.
Discharge of lunatic from custody; delivery to care of relative - „ ss.474,475.
Removal of lunatic from one place of confinement to another - „ ss.474,475A(ins. Act10,1886,s.12).
Power of Local Government to relieve Inspector General of Prisons of his functions under ss. 472 to 474 - - - - „ s.475B(ins.Act10, 1886,s.12).

(3) Proceedings in case of certain Offences affecting the Administration of Justice.

Contempts, offences against public justice, and offences relating to documents given in evidence:
Procedure of Civil, Criminal and Revenue Courts in case of - „ ss.476to482,Sch. V,Form38.

CRIMINAL PROCEDURE (INDIAN)—*cont.*

11. Special Proceedings—*cont.*

(3) *Proceedings in case of certain Offences affecting the Administration of Justice.*

Contempts, offences against public justice, and offences relating to documents given in evidence—*cont.* :

When Registrar or Sub-Registrar of Court under ss. 480, 482	Documents deemed a Civil	Act 10, 1882, section 483.
Certain Judges and Magistrates not to try offences committed before themselves		,, s.487.
Discharge of offender on submission or apology		,, s.484.
Imprisonment or committal of person refusing to answer or produce document in Criminal Court		,, s.485,Sch.V, Form39.
Appeal from conviction		,, s.486.

(4) *Maintenance of Wives and Children.*

Power to make and enforce order for		,, ss.488,490,Sch. V,Forms40,41.
,, alter allowance		,, s.489

(5) *Directions in the nature of a Habeas Corpus.*

See HABEAS CORPUS.

12. Supplementary Provisions.

(1) *Public Prosecutor.*

Power to appoint		,, s.492.
Trials before Court of Session to be conducted by		,, s.270.
Right of, to plead; pleaders privately instructed to be under his direction		,, s.493.
Effect of withdrawal of, from prosecution		,, s.494.
Power of Magistrate to permit other person to conduct prosecution		,, s.495(am.Act10, 1886,s.13).
Right of Advocate General, Standing Counsel, Government Solicitor, Public Prosecutor, etc., to conduct prosecution without Magistrate's permission		

(2) *Bail and Bonds.*

Bail when to be taken		,, ss.496,497, 500,Sch.V, Form42.
,, amount of, not to be excessive		,, s.498.
,, power of High Court or Court of Session to direct admission to bail or reduction of bail		,, s.498.
,, bond of accused and sureties; discharge from custody		,, ss. 499,500,Sch.V, Forms 42,43.
,, power to increase amount		,, s.501.
,, discharge of sureties		,, s.502.
Power to accept deposit instead of recognizance		,, s.513.
Procedure on forfeiture of bond		,, s.514(am.Act10 1886,s.4),Sch.V, Forms44to53.

CRIMINAL PROCEDURE (INDIAN)—*cont.*

12. Supplementary Provisions—*cont.*

(2) *Bail and Bonds*—cont.

S. 514 of Act 10, 1882, applied to cases under s. 5 of Reg. 9, 1887 (Frontier Crossing and Disturbed Districts) - - - - Reg.9,1887,s.5.
Appeal from, and revision of, orders under s. 514 - - - Act 10, 1882, section 515.
Power of High Court or Court of Session to direct levy of amount due on bond to appear before it - - - - - - „ s.516.

(3) *Disposal of Property.*

Power to make order for disposal of property the subject of an offence - - - - - - - - - „ ss.517,518.
Payment to innocent purchaser of money found on accused - - „ s.519.
Stay and revision of order under ss. 517 to 519 - - - - „ s.520.
Destruction of libellous and other matter - - - - - „ s.521.
Power to restore possession of immoveable property - - - „ s.522.
Restoration of seized or stolen property to owner; sale, when owner unknown - - - - - - - - „ ss.523to525.

(4) *Transfer of Cases.*

Power of High Court to transfer case, or itself try it; postponement of trial by inferior Court to admit of application for transfer being made - - - - - - „ s.526(am.Act 3,1884,s.11), s.526A(ins. Act3,1884,s.12). (L.B.)Act11,1889,s.48.
„ Governor General in Council to transfer cases - - Act 10, 1882, section 527.
„ District or Sub-Divisional Magistrate to withdraw or refer cases - - - - - - - - - „ s.528(am.Act3, 1884,s.13).
„ certain Magistrates to transfer cases - - - - „ ss.192,407,451B (ad.Act3,1884, s.8),476.

(5) *Irregular Proceedings.*

Irregularities which do not invalidate proceedings - - - „ s.529.
„ which vitiate proceedings - - - - - „ s.530.
When holding of trial, etc., in wrong place invalidates the proceedings - - - - - - - - - - „ s.531.
Validation of irregular commitments - - - - - „ s.532.
Statements and confessions of accused persons; irregularity in record of, under s. 164 or s. 364 - - - - - - - - „ s.533.
Omission to ask whether accused is an European British subject - „ s.534.
„ to prepare charge - - - - - - - „ s.535.
Trial by jury of offence triable by assessors, and *vice versâ* - - „ s.536.
Finding, sentence or order when reversible by reason of error or omission in charge or other proceedings - - - - - „ s.537.
Distress not illegal nor distrainer a trespasser for defect or want of form in proceedings - - - - - - - - „ s.538.

(6) *Miscellaneous.*

Power to appoint place of imprisonment or custody - - - „ s.541.
Removal from civil to criminal jail, and return to civil jail - - „ s.541A(ins.Act 10,1886,s115)
Payment of expenses of complainants and witnesses - - - „ s.544.

CRIMINAL PROCEDURE (INDIAN)—*cont.*

12. Supplementary Provisions—*cont.*

(*6*) *Miscellaneous*—cont.

Compensation to persons groundlessly given in charge in presidency town	Act 10, 1882, section 552.
„ for frivolous or vexatious accusation; appeal from order	„ s.560(ad.Act4, 1891,s.2).
Payment of expenses or compensation out of fine	„ ss.545,546. (U.B.) Reg.12,1887,s.9(5).
Moneys ordered under Act to be paid recoverable as fines	Act10,1882,secs.547,552, 560(ad.Act4, 1891,s.2).
Copies of proceedings to be furnished on application	„ s.548.
Delivery to military authorities of persons liable to be tried by court-martial	„ s.549.
Powers of superior officers of police	„ s.550.
Power to compel restoration of abducted female	„ s.551.
Power of Chartered High Courts to make rules as to subordinate Courts	„ s.553.
Power of other High Courts to make rules	
Forms	„ ss.553(*b*),554, Sch.V.
Restriction on trial by Judge or Magistrate of case in which he is personally interested	„ s.555.
Power to decide language of Courts	„ s.556.
Powers of Government exerciseable from time to time	„ s.557.
Officers concerned in sales not to purchase or bid for property	„ s.559(ad.Act10, 1886,s.16).

13. Special and Local.

Act 10, 1882 (the Code of Criminal Procedure, 1882), declared in force—

in British Baluchistan (with modifications)	Reg.1,1890,s.3. Reg.8,1896,s.3.
in Upper Burma, except the Shan States (with modifications)	Reg.5,1892(am.Reg.5, 1895).
in the Santhál Parganas (with modifications)	Reg.3,1872,s.3(am.Reg.3, 1886). Reg.5,1893,section4.
in Angul and the Khondmals	Reg.1,1894,s.3.
in Kachin Hill-tracts, as regards hill-tribes (in part, and with a modification)	Reg.1,1895,s.3.
in certain tracts in the Chin Hills (in part, and with a modification)	Reg.5,1896,s.3.

Reg. 5, 1892 (Criminal Justice, Upper Burma), declared (except ss. 1, 2, 6, 7, 9, 10, 16 and 17 of the schedule) to be in force in—

Kachin Hill-tracts, as regards hill-tribes	Reg.1,1895,s.3.
certain tracts in the Chin Hills	Reg.5,1896,s.3.
Reg. 5, 1895 (Criminal Justice, Upper Burma), declared in force in certain tracts in the Chin Hills	„ s.3.
Act 3, 1884, and Act 10, 1886, ss. 1 to 19 (amending Act 10, 1882), declared in force in the Santhál Parganas	Reg.3,1872,s.3(am.Reg.3, 1886).

CRIMINAL PROCEDURE (INDIAN)—*cont.*

13. Special and Local—*cont.*

Act 10, 1882, repealed in Sindh Frontier, so far as Reg. 5, 1872, is inconsistent with the Act - - - - Reg.5,1872,s.11(saved, Act10,1882,s.3).

„ „ modified generally in—

Andamans - - - - - - Reg.3,1876,s.13(am.Reg.1, 1884,s.3).

Punjab and British Baluchistan frontier districts - Reg.14,1887,ss.7,9,37to46.

Ajmere:

Chief Commissioner to discharge functions of High Court, except in proceedings Bagainst European ritish subjects - - Reg.1,1877,s.38.

Power to appoint one Magistrate for several districts - - „ s.39.

Power of Commissioner to transfer criminal cases or appeals - „ s.41.

Lower Burma:

Judicial Commissioner to be highest Court of Criminal Appeal or revision, except in proceedings against European British subjects and except in limits of Recorder's jurisdiction - Act11,1889,section28.

Sessions Divisions and Sessions Judges - - - - „ ss.29,30,45.

Power to transfer criminal jurisdiction of Commissioner to Judicial Commissioner; application of Court Fees and Limitation Acts when such transfer made - - - - „ ss.31,32.

Coorg:

Judicial Commissioner to have powers of High Court, except in proceedings against European British subjects - - - Reg.2,1881,s.18.

For local laws see also ADEN, 2; AJMERE, 3; ANGUL, 4; BURMA, (3); CHIEF COURT, PUNJAB; CHIN HILLS, 3, 4; CHITTAGONG HILL TRACTS; CHOTA NAGPUR; DISTURBED DISTRICT; EASTERN DVÁRS; FRONTIER; GANJAM AND VIZAGAPATAM; KACHIN HILLS; OUDH, 3; PUNJAB, 4; RECORDER OF RANGOON; SANTHÁL PARGANAS; SCHEDULED DISTRICTS; SPECIAL COURT, BURMA; SPITI.

For special laws see INDIAN MILITARY AND NAVAL FORCES, III, 3; MURDEROUS OUTRAGES, (2); POLICE, III, B; PRECIOUS STONES; ROYAL INDIAN MARINE, 3; *and other heads.*

CRIMINAL TRESPASS. *See* CRIMINAL LAW (INDIAN), 15.

CRIMINAL TRIBES ACT, 1871 - - - - - Act27,1871.

„ „ „ AMENDMENT ACT, 1897 - - - Act2,1897.

CRIMINAL TRIBES AND EUNUCHS.

1. Preliminary.

Act 27, 1871, s. 20, extends to whole of British India - -

„ „ remaining sections extend *proprio vigore* to Bengal, North-Western Provinces, Oudh and Punjab, and may be declared by notification to be in force in other provinces - - - - - Act27,1871,s.1(am.Act7, 1876,s.1,Act2, 1897,s.2).

Definition of "tribe," "gang" and "class" - - - „ s.1A(ad.Act2, 1897,s.3).

2. Criminal Tribes.

Power of Governor General in Council, on report of Local Government, to authorise it to declare tribe, gang or class to be a criminal tribe - - - - - - - - „ ss.2to5.

CRIMINAL TRIBES AND EUNUCHS—*cont.*

2. Criminal Tribes—*cont.*

Courts not to question such declaration	Act 27, 1871,	section 6.
Registration of members of	„	ss.7to12,16.
Power to settle criminal tribe in place prescribed by Local Government; removal to other place	„	ss.13to16.
Reformatory settlement; power to place tribe in	„	s.17.
„ „ for children; establishment of, and placing of children in	„	s.17A(ad.Act 2,1897,s.4).
„ „ „ „ power of Superintendent of, to apprentice children under Act 19, 1850		
Power of Local Government to make rules for working of Act	„	s.18(am.Act 7,1876,s.2).
Penalty for breach of such rules	„	s.19(am.Act 2,1897,s.5).
Enhanced punishment for certain offences by members of tribe after previous conviction	„	s.19A,Sch. (ad.Act2, 1897,ss.6,7).
Punishment of registered members of tribe found under suspicious circumstances	„	s.19B(ad.Act 2,1897,s.6).
Arrest and removal of registered persons found beyond prescribed limits of residence	„	s.20.
Duty of village-headmen, village watchmen, and owners and occupiers of land and their agents to make reports of certain matters, under penalty	„	ss.21,22(am. Act7,1876,s.2).

3. Eunuchs.

Definition of	„	s.24.
Registration of	„	ss.24,25.
„ power to make rules as to	„	s.31.
Registered; penalties for certain offences by	„	ss.26,27.
„ maintenance and education of boys found under control of	„	s.28.
„ disabilities of	„	s.29.
„ power to require information as to property of, under penalty	„	s.30.

CROWN.

1297. [1]25 E. 1 (*Mag. Car.*), c. 29 (Delay of Justice).
1350-1. [1]25 E. 3, stat. 1 (Inheritance of Sovereign's Children).
1627. [1]3 C. 1, c. 1 (Limitation of Powers).
1688. [1]1 W. & M. c. 6 (Coronation Oath).
„ [1]1 W. & M. sess. 2, c. 2 (Succession; Limitation of Powers).
1. Succession.
2. Style, Prerogatives, Powers and Property.
1689. [1]2 W. & M. c. 1 (Succession).
1700-1. [1] 12-3 W. 3, c. 2 (Succession; Limitation of Powers).
1702. [1]1 A. c. 2 (Demise).
1830-1. 1 W. 4, c. 4, s. 2 (Demise).
1876. 39-40 V. c. 10 (Style).
1896. 59-60 V. c. 2, preamble (Army).
3. Demise.

1. Succession.

Limitation of succession to Crown	1W.&M.sess.2c.2. 2W.&M.c.1. 12-3W.3,c.2.	[1]

[1] These Acts are indexed because they are published in the Collection of Statutes relating to India.

CROWN—*cont.*

1. Succession—*cont.*

Sovereign's children inheritable, wherever born - - - - 25E.3,stat.1.
Roman Catholics, and persons marrying Roman Catholics, disqualified - - - - - - - - - - 1W.&M.sess.2,c.2. 12-3W.3,c.2. [1]
Coronation: oath and declaration to be taken and made on - - 1W.&M6. 1W.&M.sess.2,c.2. 12-3W.3,c.2,s.2. [1]

2. Style, Prerogatives, Powers and Property.

(*a*) *Style and Title.*

Power to add to, in recognition of transfer of government of India - 39-40V.c.10.

(*b*) *Limitation of Powers.*

Declaration of limits of power of Crown - - - - 3C.1,c.1. 1W.&M.sess.2,c.2. 12-3W.3,c.2. [1]
Justice not to be sold, denied, delayed or deferred - - - 25E.1(*Mag.Car.*), c.29. [1]
Loans to Crown; illegality of, without consent of Parliament - 1W.&M.sess.2,c.2. [1]
Benevolence: none to be levied without consent of Parliament - 1W.&M.sess.2,c.2. [1]
Standing army; illegality of, in realm, during peace, without consent of Parliament - - - - - - - - 59-60V.c.2,preamble. [1]

(*c*) *Property.*

See CROWN LANDS.

3. Demise.

Continuance on,—
of commissions of the peace - - - - - 1A.c.2.[1]
of patents, commissions, etc., for exercise of offices abroad - 1W.4,c.4,s.2.
CROWN GRANTS ACT, 1895 - - - - - Act15,1895.
CROWN LANDS AND LAND REVENUES.
Grant of forfeiture before conviction, bad - - - - 1W.&M.sess.2,c.2.[1]
Grants by Crown of land or interest thereon to take effect according to their tenor, notwithstanding other laws - - - Act15,1895.
CRUELTY TO ANIMALS.

1. Generally.

Act 11, 1890, applies only to notified areas - - - - Act11,1890,s.1(2).
Power, when extending Act 11, 1890, to local area, to declare that other enactments relating to cruelty to animals shall cease to be in force therein - - - - - - - - „ s.1(3).
Definition of "animal" and "street" - - - - - „ s.2.
Penalty for various acts of cruelty in street or in place to which public have access, etc. - - - - - „ s.3.
„ „ practising phuka - - - - - „ s.4.
„ „ killing animal with unnecessary cruelty - - - „ s.5.
„ „ employing animal unfit for labour - - - „ s.6(1).
„ „ permitting diseased animal to go at large or disabled animal to die in street - - - - - „ s.7.

[1] These Acts are indexed because they are published in the Collection of Statutes relating to India.

CRUELTY TO ANIMALS—*cont.*

1. Generally—*cont.*

Infirmary for animals:	
Appointment of	Act11,1890,s.6(*2*).
Sending of animals to, at expense of owner	„ s.6(*3*)to(*6*).
Powers of search	„ s.8.
Limitation of prosecutions	„ ss.9,12.
Power to destroy suffering animals	„ ss.10,12.
Act not to affect killing in accordance with religious rites and usages	„ ss.11,12.
Penalty for cruelty—	
under General Police Act	Act5,1861,s.34(2).
under Stage Carriages Act	Act16,1861,s.9.
Penalty for mischief by killing, maiming, etc., animal	Act45,1860,ss.428,429.
Power to make rules for prevention of cruelty in cantonments	Act13,1889,s.26(*24*).
Setting animals to fight. *See* GAMING, 3.	

2. Assam[1] and Bengal.

Ben. Acts 1 and 3, 1869, extend to town and suburbs of Calcutta	Ben.Act1,1869,s.9. Ben.Act3,1869,s.2.
„ „ „ „ may be extended by notification to any other city, etc., in Bengal	Ben.Act1,1869,s.10. Ben.Act3,1869,s.3.
Definitions	Ben.Act1,1869,s.1.
Penalty for various acts of cruelty	„ s.2.
„ inciting animal to fight, etc.	„ s.3.
„ permitting diseased animal to go at large or die in public place	„ s.4.
„ employing animal unfit for labour	„ s.5.
Power of police to arrest without warrant for offence against Ben. Act 1, 1869	Ben.Act3,1869,s.1.
Summary trial of offences by Presidency Magistrate	Ben.Act1,1869,s.6.
Application of Code of Criminal Procedure to trials out of Calcutta	„ s.7.

3. Madras City.

Penalty for cruelty	Mad.Act3,1888,s.53.
Infirmary for animals:	
Establishment of, and nomination of staff	„ s.54.
Sending of animals to, at expense of owner	„ s.55.
Discharge of animals and recovery of expenses and costs of enquiries	„ ss.56to59.

4. Other places.

Penalty for cruelty	Bom.Act4,1890,s.62. (Bom.Town)Act48,1860, s.21. (Bom.villages)Bom.Act8, *1867, s.16(1).* (Howrah)Act21,1857, s.23(*1*). (CertainMad.Towns)Mad. Act3,1889,ss.5,8.

[1] Ben. Acts 1 and 3, 1869, have been declared in force in Assam by notification under the Scheduled Districts Act, 1874.

CULPABLE HOMICIDE defined. *See* WORDS AND PHRASES.

CULTIVATION. *See* FOREST, 6; INDIGO; OPIUM; SHIFTING CULTIVATION.

CURATORS.

In cases of succession. *See* ADMINISTRATION (INDIAN LAW), 4.

CUSTOMS CONSOLIDATION ACT, 1876. (*See* COPYRIGHT) - - 39-40V.c.36.

CUSTOMS.

Duty may be taken *pro ratâ* - - - - - Act10,1897,s.12. Mad.Act1,1891,ss.12,16. N.&O.Act1,1887,s.4.

Duties to be collected by Collector - - - - - Mad.Reg.2,1803,ss.2,32.

Power to impose duty on opium imported by land or exported by land or sea - - - - - - - - Act1,1878,ss.5,6.

Effect of alteration of Tariff on contract - - - - Act8,1894,s.10. Act2,1896,s.35.

Prohibitions and restrictions on importation or exportation by land or sea:

Certain goods not to be imported - - - - Act8,1878,s.18(am.Act4, 1889,s.10;Act9,1891, s.3),s.167(8).

Power to prohibit or restrict importation or exportation of specified articles - - - - - - Act8,1878,ss.19,167(8).

Detention and confiscation of goods whose importation is prohibited - - - - - - - Act8,1878,s.19A(ad.Act4. 1889,s.11).

Search for prohibited books, etc., in post office - - - Act14,1866,s.60A(ins.Act 7,1882).

Application of customs law for punishment of offences and reward of informers to punishments and rewards in connection with town duties imposed by the City of Bombay Municipal Act, 1888 - Bom.Act3,1888,s.478.

Recovery by Post Office, from addressees, of customs dues paid by it - - - - - - - - - Act14,1866,s.67(ad.Act 16,1896).

Prohibition of levy of, by private individuals. *See* TAXES.

CUSTOMS (INLAND).

General Sea Customs Tariff applied to—

imports and exports of goods from and to foreign territory - Act8,1894,s.5.

imports of cotton goods from foreign territory - - - Act2,1896,s.37.

Duty on spirituous or fermented liquor imported, exported or transported - - - - - - - - - Bom.Act5,1878,ss.19,26. Mad.Act1,1886,ss.17,18.

Duty on imports of spirituous or fermented liquor manufactured in foreign India or brought by land from beyond India - - Act12,1896,ss.31,32.

Duty on imports of spirituous or fermented liquor manufactured in foreign India or in a part of British India in which no excise duty levied - - - - - - - - - Ben.Act7,1878,s.19(am. Ben.Act4,1881, s.6,Act13, 1890,s.7).

Duty on intoxicating drugs (other than opium) imported, exported or transported - - - - - - - - Act12,1896,ss.13,19. Bom.Act5,1878,s.27. Mad.Act1,1886,ss.17,18.

Duty on timber or other forest produce. *See* FOREST, 5.

Establishment of stations on British frontier for searching for arms, ammunition and military stores - - - - - Act11,1878,s.11.

Power to prohibit or restrict importation of cotton goods from foreign territory; detention and confiscation of goods whose importation is prohibited - - - - - - Act2,1896,s.37.

CUSTOMS (INLAND)—*cont.*

Drawback on export of cotton goods - - - - - Act 2,1896,s.38.

See also CUSTOMS; SALT.

Madras and Bombay Presidencies:

Act 6, 1844, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts - - Act15,1874,s.4.

Appointment of Customs stations for levy of duties on imports from and exports to foreign territories - Act6,1844,s.8. Act29,1857,s.4(rep.in pt. Act16,1874).

„ Customs-officers - - - - Act6,1844,ss.9,10. Act29,1857,s.5.

„ routes - - - - - - Act6,1844,s.12. Act29,1857,s.6.

Collection of duty; ascertainment of value; seizure; confiscation Act6,1844,ss.8to13(am. Mad.Act2, 1893,s.1). Act29,1857,ss.6to12,14,15.

Exemptions from duty - - - - - - (Bom.)Act29,1857,s.13.

Offences and penalties - - - - - - Act6,1844,ss.14,15. Act29,1857,ss.16to19.

Adjudication of confiscations; restoration of goods confiscated or seized; damages for vexatious seizures; fine in lieu of confiscation; rewards to Customs-officers - - - - (Bom.)Act29,1857,ss.20to 22.

Acts 6, 1844, and 29, 1857, applied to collection of duties imposed by Indian Tariff Act, 1894, s. 5 (*b*) - - - - Act8,1894,s.8.

CUSTOMS (SEA).

1. Tariff.

1864. Ben. Act 7, s. 15 (Salt).
1878. Act 8 (Sea Customs).
„ Act 11, ss. 7, 10 (Arms, Ammunition and Military Stores).
1879. Act 15, ss. 27, 28, 40 (Rangoon Port Commissioners).
„ Bom. Act 6, ss. 67, 70 (Bombay Port Trust).
1882. Bom. Act 7, s. 7 (Landing and Wharfage Fees).
1886. Bom. Act 6, ss. 38, 39, 53 (Karachi Port Trust).
„ Mad. Act 2, s. 51 (Madras Harbour Trustees).

2. Management.

1887. Act 10, s. 29 (Native Passenger Ships).
„ Ben. Act 4, ss. 25, 29 (Chittagong Port Commissioners).
1888. Bom. Act 5, ss. 35, 36, 50 (Aden Port Trust).
1889. Act 10, ss. 1 (4), 43 (Ports).
1890. Act 13, s. 9 (Excise).
„ Ben. Act 3, ss. 87, 88, 122, 122A, 122C (Calcutta Port).
1894. Act 8 (Tariff).
1896. Act 2 (Cotton Duties).
„ Act 8 (Bonded Warehouses).

1. Tariff.

Duties on articles imported and exported:

General tariff at British Indian ports except Aden and Perim - Act8,1878,s.20. Act8,1894,s.3,Sch.IItoV (am.Act3,1896).

Duty on pepper exported from Cochin; net duty to be paid to Governments of Travancore and Cochin - - - Act8,1894,s.4.

Coasting-trade; duty leviable on—

salt and opium imported - - - - - Act8,1878,s.20(*b*). Act8,1894,ss.2(*4*),7.

CUSTOMS (SEA)—*cont.*

1. Tariff—*cont.*

Duties on articles imported and exported—*cont.*:
Coasting-trade; duty leviable on—*cont.*
spirit imported - - - - - - Act 8, 1894, ss. 2(4), 7
salted fish imported - - - - - - Act 8, 1878, s. 20(*b*) [*qu.* rep. Act 8, 1894, s. 2(4)].
goods brought in bond - - - - - " s. 20(*d*).
Power to fix and alter tariff values - - - - - " s. 22.
Alteration of duty or tariff valuation when to have effect - - " ss. 37 (am. Act 8, 1889, s. 1), 38.

See also CUSTOMS.

2. Management.

(a) Duties, Drawbacks, Accounts and Expenses.

Duty how levied on goods partially composed of dutiable articles - " s. 21.
" leviable on re-imported articles of country produce - - " s. 25.
" " " goods derelict, jetsam, flotsam or wreck - - " s. 27.
Ascertainment of value of goods - - - - - " ss. 29 to 31.
Under-valuation of goods by owner - - - - - " s. 32.
Abatement of duty on damaged goods - - - - " ss. 33 to 35.
Alteration of bill of entry or shipping bill - - - - " s. 36.
Payment of duties or charges short levied, or erroneously refunded - " s. 39.
Refund of duties or charges erroneously paid - - - " s. 40.
Weighment or measurement before levy of duty - - - " s. 80.
Duties when to be assessed - - - - - - " s. 87.
" when payable - - - - - - " ss. 89, 100, 110. 118, 119, 137.
" sale of goods for - - - - - - " ss. 88, 119, 193.
" bond for - - - - - - " s. 92.
" transhipment without payment of - - - - " ss. 128 to 135, 141.
" refund of export duty on re-landing - - - - " ss. 140 to 142.
" cargo landed during repairs may be re-shipped free of - " s. 143. *See also below*, (*c*) (Warehousing).
" exemptions from—
general and special powers of exemption - - - " s. 23 (am. Act 8, 1894, s. 11).
goods belonging to Government - - - - " s. 20.
baggage in actual use - - - - - " s. 24.
certain re-imported articles of country produce - - " s. 25.
provisions and stores for use on foreign-going ship - " ss. 28, 112.
Drawback when and to what extent allowed—
on re-exports generally - - - - - - " ss. 42, 43, 49 to 52, 167(*10*), (*12*).
on wines, spirits and provisions shipped for officers of Navy, Indian Marine or Indian Marine Survey - - - " ss. 44 to 48, 167 (*11*).
drawback of excise-duty paid on country spirit - - - " ss. 150, 153.
" " " " fermented liquor - - Act 13, 1890, s. 9.
Refund of drawback on re-landing of goods - - - - Act 8, 1878, s. 142.
Running account of duties and charges - - - - " s. 41.
Expenses incidental to compliance with Customs law to be borne by owner of goods - - - - - - - " s. 196.

CUSTOMS (SEA)—*cont.*

2. Management—*cont.*

(*b*) *Officers.*

Appointment, suspension and dismissal of - - - - Act 8, 1878, sections 6, 7.
District Officers to perform duties of, where no Custom-house - „ s.8.
Power to make rules as to duties of - - - - - - „ s.9.
Exemption of, from service on jury or inquest or as assessor - „ s.10.
Powers, duties and privileges of, in connection with boarding and remaining on ships - - - - - - - „ ss.67to70,167 (*24*)to(*27*).

(*c*) *Importation and Exportation.*

Appointment of ports, wharves, Custom-houses and boarding and landing stations - - - - - - - - „ ss.11to13,17, 167(*2*),(*3*)(am. Act12,1891), (*4*)to(*7*).

Shipping and landing of goods:
Custom officers to board and remain on ship; their powers, duties and privileges - - - - - - - „ ss.67to70,74, 167(*24*)to(*28*).
Charge for Customs-officer on board - - - - - „ s.71.
Restriction as to time and place of. - - - - - „ ss.71to74,77, 167(*28*),(*31*).
Baggage and mails - - - - - - - „ ss.75,167(*28*).
Boat-note - - - - - - - - „ ss.76,167(*29*),(*30*).
Transhipment from one boat to another - - - - „ ss.78,167(*31*).
Registration and licensing of cargo-boats - - - „ ss.79,167(*32*).
Weighing and measuring - - - - - „ s.80.
Setting apart of Port Commissioners' or Port Trustees' wharves, etc., for use under Sea Customs Act, 1878, and payment of tolls, rates, etc., to those Authorities for use of such wharves, etc.:
Aden Port Trustees - - - - - - - Bom.Act5,1888,ss.35,36.
Bombay Port Trustees - - - - - - - Bom.Act6,1879,s.70.
Calcutta Port Commissioners - - - - - - Ben.Act3,1890,ss.87,88.
Chittagong Port Commissioners - - - - - - Ben.Act4,1887,ss.25,29.
Karachi Port Trustees - - - - - - - Bom.Act6,1886,ss.38,39.
Rangoon Port Commissioners - - - - - - Act15,1879,ss.27,28.
Wharfage fees; amount and time for payment of - - - Act8,1878,s.199.
Prohibitions and restrictions. *See* CUSTOMS.
Importation:
Appointment of warehousing ports - - - - - Act8,1878,s.14.
„ and licensing of warehouses - - - - Act8,1878,ss.15,16. Act8,1896,s.4.
Licensing of Calcutta Port Commissioners' warehouses under Act 8, 1878, s. 16 - - - - - - - Ben.Act3,1890,s.122A (ins.Ben.Act4,1895, s.15).
Delivery of manifest, bill of lading and port clearance; contents of manifest - - - - - - - - Act8,1878,ss.53to58,60, 167(*13*)to(*20*), (*33*),(*35*).
Special pass for breaking bulk - - - - - Act8,1878,secs.59,167(*19*).
Discharge of cargo; landing and custody of goods - - „ ss.81to85,167 (*33*),(*35*).
Entry for home consumption or warehousing - - „ ss.86,87,167 (*36*)to(*39*).

CUSTOMS (SEA)—*cont.*

2. Management—*cont.*

(c) *Importation and Exportation*—cont.

Importation—*cont.*:

Sale of goods for duty and charges	Act 8, 1878, section 88.
Clearance for home consumption	„ s.89.
Spirit unfit for human consumption	„ ss.155,167(*61*).
Warehousing; entry of goods for	„ ss.86,87.
„ procedure for	„ ss.90,91,93to96, 167(*38*),(*41*)to(*43*).
„ signature by Calcutta Port Commissioners of warrants delivered under *Act 8, 1878, s. 96*	Ben.Act3,1890,s.122A(ins. Ben.Act4,1895,s.15).
„ bonds to be executed	Act8,1878,ss.92,106,107, 109,114.
„ „ forfeiture and discharge of; register of bonds	„ ss.118to121.
„ provisions as to goods in a warehouse	„ ss.97to100,102,103, 167(*44*)to(*47*), (*50*)to(*53*).
„ payment of rent and warehouse-dues	„ ss.101,111 118.
„ removal of goods from one warehouse to another	„ ss.104to109, 167(*50*),(*52*),(*53*).
„ clearance of warehoused goods for home consumption, for shipment to foreign port, or for use as ship's stores	„ ss.110to113, 120,167(*50*), (*52*),(*53*).
„ re-assessment of duty when goods damaged or when duty or tariff valuation altered	„ ss.114,115(am. Act8,1889,s.2).
„ allowance on wine, spirit, beer or salt for ullage or wastage, in adjusting duties	„ ss.116,117.
„ remission of duties when goods lost or destroyed	„ ss.100,122,206.
„ compensation when claimable for loss of or damage to warehoused goods	„ ss.123,167(*48*), (*49*),206.
„ indemnity to Calcutta Port Commissioners for loss of or damage to petroleum	Ben.Act3,1890,s.122C (ins.Ben.Act4, 1895,s.15).
„ payment of duty and expenses how enforced	Act 8, 1878,secs.119,126.
„ responsibility of keeper or licensee of warehouse	„ ss.123,167 (*48*),(*49*).
„ regulation of public warehouses	„ ss.124,125,167(*45*), (*50*),(*52*),(*53*).
„ sanction of Local Government required to depositing arms, etc., in licensed warehouse	Act11,1878,s.7.
„ conveyance of salt, under time-bond for payment of duty, to warehouse appointed or licensed for the purpose; inspection of warehouses	Act8,1896,ss.5to7.
„ rawana under Bengal Salt Act not required for salt warehoused under Sea Customs Act	Ben.Act7,1864,s.15.

Exportation:

Order for entry outwards, to be obtained	Act8,1878,ss.61,136,167(*55*).
Delivery of manifest, shipping bills, etc.; contents of manifest; clearance for shipment	„ ss.63,137,167(*16*), (*37*),(*56*).
Port clearance; ship not to depart without	„ ss.62,167(*21*),(*22*).
„ „ to be produced to pilot	„ ss.62,167(*23*).

CUSTOMS (SEA)—*cont.*

2. Management—*cont.*

(*c*) *Importation and Exportation—cont.*

Exportation—*cont.*:

Port clearance; application for; refusal of; grant of	Act 8, 1878, ss. 63 to 66, 167(*16*), (*17*).
„ „ not to be granted—	
for native passenger ship until bond executed	Act 10, 1887, s. 29.
for pilgrim ship	Act 14, 1895, s. 31.
until payment of—	
port dues, etc., due under Ports Act	Act 10, 1889, s. 43.
expenses of medical attendance, etc., of seamen, etc., due under Merchant Shipping Act, 1894, s. 207	
tolls, etc., due under Rangoon Port Commissioners Act	Act 15, 1879, s. 40.
„ „ Calcutta Port Act	Ben. Act 3, 1890, s. 122.
„ „ Bombay Port Trust Act	Bom. Act 6, 1879, s. 67.
„ „ Aden Port Trust Act	Bom. Act 5, 1888, s. 50.
„ „ Karachi Port Trust Act	Bom. Act 6, 1886, s. 53.
Bond when required	Act 8, 1878, secs. 138, 144.
Special charge leviable on goods (other than treasure or opium) cleared after port clearance granted	„ s. 139.
Unshipping or re-landing after clearance or during repairs	„ ss. 140 to 143, 154, 167(*57*) to (*59*) (am. Act 12, 1891), (*60*)
Spirit liable to excise-duty. *See* EXCISE, 3 (*d*).	
Transhipment of goods without payment of duty:	
At what ports allowed without giving bond	„ s. 128.
Allowed in case of ship returning to port or putting into another port	„ ss. 141, 167 (*58*).
„ „ provisions or stores transferred from one ship to another belonging to same owner	„ s. 132.
Special rules as to	„ ss. 129 to 131, 133 to 135, 167(*54*).
Power to prohibit	„ ss. 134, 167(*54*).
„ regulate or prohibit transhipment of arms, ammunition or military stores	Act 11, 1878, s. 10.

(*d*) *Coasting Trade.*

Power to appoint ports for coasting trade alone	Act 8, 1878, section 12.
„ make rules to regulate	„ ss. 157, 167(*62*), (*70*).
Coasting-ships:	
Certain provisions as to foreign-going ships not to apply to	„ ss. 156, 157(*a*), (*b*). 167(*62*).
Delivery of manifest, shipping bills, etc., and granting of port clearance and order to break bulk, at first, intermediate or final port	„ ss. 158 to 160, 167 (*63*), (*64*), (*70*).
Bond before granting port clearance	„ ss. 161, 167(*65*).

CUSTOMS (SEA)—*cont.*

2. Management—*cont.*

(*d*) *Coasting Trade*—cont.

Coasting-ships—*cont.*:

Discharge of cargo from - - - - - Act 8, 1878, ss. 162, 163, 167 (70).
Grant and revocation of general pass for steamship - - „ ss. 164, 167(66)
Cargo book to be kept by master; when kept, manifest may be dispensed with - - - - - - - „ ss. 165, 167(67) to (70).
Power to board and examine - - - - - „ ss. 166, 167(71).

(*e*) *Offences, Penalties and Legal Proceedings.*

Smuggling and other breaches of Customs law; penalties for - „ s. 167 (Nos. 3 and 59 am. Act 12, 1891).
Confiscation of goods, when allowed; packages, conveyances, animals, ship's tackle, etc., may also be confiscated - - - - „ ss. 167, 168.
Power to search person, to stop and search vessels and conveyances, and to issue search-warrant - - - - - „ ss. 169 to 172, 167 (74).
„ arrest; bail to be taken - - - - - „ ss. 173 to 176.
Procedure on arrest of member of crew of ship in Navy, Indian Marine or Indian Marine Survey - - - - - „ s. 177.
Seizure, custody and disposal of things liable to confiscation - „ ss. 178 to 180, 167 (77), 184.
Statement of reasons to be given when arrest or seizure made - „ s. 181
Adjudication of confiscations, increased rates of duty and penalties - „ ss. 182, 185, 187.
Option to pay fine in lieu of confiscation - - - - „ s. 183.
Saving of liability to punishment under other law - - - „ s. 186.
Appeal; deposit pending appeal; remission or commutation of penalty, etc.; revision - - - - - - „ ss. 188 to 191, 202.
„ limitation of - - - - - - „ ss. 188, 202.
Detention of goods pending payment of fine, etc. - - - „ s. 192.
Enforcement of payment of penalty or duty - - - - „ s. 193.
Compensation for loss or damage when claimable - - - „ ss. 197, 206.
Notice of, and limitation for, proceedings other than suit - - „ s. 198.

(*f*) *Miscellaneous and Local.*

Agents; recognition of - - - - - - „ ss. 4, 5, 60, 202. 167(80), 203.
Rules; general power to make - - - - - „ s. 9.
„ publication and sale of - - - - - „ s. 204.
Notifications; cancellation of - - - - - - „ s. 205.
Power to open packages, examine goods and take samples - - „ ss. 194, 195, 167(79).
Documents; power to grant duplicates of, and to amend - - „ ss. 200, 201.
Saving of powers of Calcutta Port Commissioners, Bombay Port Trust and other similar authorities - - - - „ s. 207 (am. Act 9, 1885, s. 6).
Sea Customs law, and rules and orders thereunder, not affected by Ports Act - - - - - - - - Act 10, 1889, s. 1(4).
Madras Harbour Trust Act, 1886, not to affect powers of Chief Officer of Customs - - - - - - - - Mad. Act 2, 1886, s. 51.
Application of Sea Customs Act to levy of excise and inland customs duties on cotton goods - - - - - - Act 2, 1896

CUSTOMS (SEA)—*cont.*

2. Management—*cont.*

(*f*) *Miscellaneous and Local*—cont.

Saving of Chapter XIV of Sea Customs Act, 1878, as to excise duty on spirit - - - - - - - - - Act8,1894,s.7(*3*).

Application of Sea Customs law for punishment of offences and reward of informers to punishments and rewards in connection with landing and wharfage fees - - - - - Bom.Act7,1882,s.7.

CUSTOMS OFFICER; definitions of. *See* WORDS AND PHRASES.

DACOITY. *See* CRIMINAL LAW (INDIAN), 15.

DAK. *See* POST OFFICE.

DAMAGES.

Recoverable for mesne profits - - - - - - 18-9C.2,c.11,s.4. 6A.c.72,s.3. [1]

DANGEROUS TRADES. *See* OFFENSIVE AND DANGEROUS TRADES.

DARJEELING.

Jurisdiction of High Court in - - - - - - Act19,1867,s.2.

Control over coolies in. *See* MUNICIPALITY, V, 6 (*q*).

See also JALPAIGORI AND DARJEELING DISTRICTS.

DARJEELING STEAM TRAMWAY ACT. (*See* TRAMWAYS, B) - - Ben.Act6,1879.

DEATH.

Action for compensation for loss occasioned by death due to actionable wrong - - - - - - - - Act13,1855(pt.rep.Act9, 1871).

See REGISTRATION OF BIRTHS, DEATHS, ETC.

DEATH DUTIES.

Deduction, from Estate Duty payable under the Finance Act, 1894, of death duty paid in British Possession - - - - 57-8V.c.30,s.20.

DEBT.

Bom. Reg. 5, 1827, ss. 9, 14, declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts - Act15,1874,s.5.

Written acknowledgment of, not conclusive as to amount, if defendant show that full consideration not received - - - Bom.Reg.5,1827,sec.9(*1*) (rep.locally,Act 17,1879,s.12).

Proof when required in addition to written acknowledgment, where cultivator sued on writing executed out of British jurisdiction - „ s.9(*2*).

Interest to cease after tender of payment - - - - „ s.14.

Universal donee how far liable for debts of donor - - - Act4,1882,s.128.

Restrictions on recovery of, from merchant seaman, during voyage - 57-8V.c.60,s.213. Act1,1859,s.74.

Restriction on arrest of seaman of navy, or marine, for - - 29-30V.c.109,ss.97,98.

Liability for ancestral and other family debts. *See* HINDU.

Official management of estates to secure payment of. *See* INCUMBERED ESTATES.

Collection of, on succession. *See* ADMINISTRATION (INDIAN LAW), 5.

Assets for payment of debt of deceased person:

Fee simple interest in trust estate descending to heir; but estate of heir not chargeable - - - - - - - 29C.2,c.3,ss.10,11[1](rep. locally,Act2,1882).

Abolition of imprisonment for. *See* IMPRISONMENT.

See also ACTIONABLE CLAIM.

DEBTORS ACT, 1888. (*See* IMPRISONMENT) - - - - Act6,1888.

[1] These sections are indexed because they are published in the Collection of Statutes relating to India.

DECENNIAL SETTLEMENT REGULATION (BENGAL), 1793.[1] (*See* LAND-REVENUE)	Ben.Reg.8,1793.
DECK AND LOAD LINES ACT, 1891. [*See* MERCHANT SHIPPING, 7 (*a*)]	Act17,1891.

DECLARATORY DECREE. *See* SPECIFIC RELIEF.

DEDICATIONS. *See* REGISTRATION OF BIRTHS, ETC., A, 4.

DEFAMATION. *See* CRIMINAL LAW (INDIAN), 20.

DEFINITIONS. *See* ACTS OF PARLIAMENT, 2; ACTS AND REGULATIONS, ETC., 2; WORDS AND PHRASES.

DEHRA DUN.

Regulations and Acts in force in Saharanpur declared in force in	Act21,1871,s.1.
High Court and Boards of Revenue to exercise powers in	,, s.2.
District Court of Saharanpur to be District Court for	,, s.3.
Act 21, 1871, not to apply to Jaunsar Bawar	,, s.4.

DEKKHAN, ETC.

1. Ahmadnagar, Khandesh and Poona Districts.

Bombay Regulations formally declared in force in	Bom.Reg.29,1827,sec.2, App.A(pt.rep. Acts6of1842, 11of1846and 4of1868).
Suits not to be brought in Civil Courts against certain persons of rank in	,, s.3.
Agent to be appointed for trial of such suits	,, s.4(*1*).
Such Agent to have exclusive jurisdiction in suits against such persons connected with land	Bom.Reg.1,1831,s.1(*1*). Bom.Reg.16,1831,s.2.
Local Government to give Agent list of such persons and instructions as to procedure to be followed in trials	Bom.Reg.29,1827,s.4(*1*).
Such list to comprise 3 classes of persons, and separate instructions to be given in the case of each class	,, s.4(*2*).
General principles to be observed by Agent in trial of such suits	,, s.5.
Decrees against persons of the 1st class not to be executed without reference to Local Government	,, s.5(*1*).
Appeal by plaintiff to Local Government in suit against person of 1st class	,, s.5(*1*).
Appeal by either party to Local Government in suit against person of 2nd class; limitation	,, s.5(*2*).
Appeal by either party to High Court in suit against person of 3rd class; limitation	,, s.5(*3*).
Appeal by either party to Her Majesty in Council in suit against person of 1st, 2nd or 3rd class	,, s.5.
Power to appoint Assistant Judge of Poona to be Assistant to the said Agent; reference of suits to Assistant; appeals from decisions of Assistant; limitation of, and procedure in, such appeals	Act19,1835(am.Act12, 1891).

2. Dharwar District.

Formation of	Bom.Reg.7,1830,s.1,App. A(pt.rep. Act6,1842).

[1] This short title was given by Act 5, 1897, s.4.

DEKKHAN, ETC.—*cont.*

2. Dharwar District—*cont.*

Bombay Regulations formally declared in force in - - - - Bom.Reg.7,1830,s.2(am. Act16,1895).

Suits against certain persons of rank in, not to be brought in Civil Courts, but to be tried by Political Agent under special procedure - „ s.5.

Such Agent to have exclusive jurisdiction in suits against such persons connected with land - - - - - - Bom.Reg.1,1831,s.1(*1*). Bom.Reg.16,1831.

Local Government to give Political Agent list of such persons - Bom.Reg.7,1830,s.5.

3. Parganas of Edulabad and Warangaon.

Bom. Reg. 29 of 1827 (ss. 3, 4, 5), 7 of 1830 (s. 5), and 1 and 16 of 1831 extended to certain persons of rank in - - - - Bom.Act14,1866,s.3.

4. Satara District.

Rendered subject to Regulations and Acts in force in Presidency of Bombay - - - - - - - - - - Bom.Act3,1863,s.1,Sch.A (pt.rep.Act4, 1868).

Village of Muchandi excluded from operation of Regulations and Acts of the Presidency of Bombay - - - - - „ s.8.

Bom. Regs. 29 of 1827 (ss. 3, 4, 5), 7 of 1830 (s. 5), and 1 and 16 of 1831 extended to certain persons of rank in - - - - „ s.4(*1*).

5. Sholapur and Southern Maratha Country.

Certain villages in, rendered subject to Regulations and Acts in force in Bombay Presidency - - - - - - „ s.2,Sch.B(pt. rep.Act4, 1868).

Bom. Regs. 29 of 1827 (ss. 3, 4, 5), 7 of 1830 (s. 5), and 1 and 16 of 1831 extended to certain persons of rank in such villages - „ s.4(*1*).

6. Supplemental.

Code of Civil Procedure to apply in cases under Bom. Regs. 29 of 1827, 7 of 1830 and 1 and 16 of 1831, and Act 19 of 1835, except where those enactments are inconsistent with the Code - Act14,1882,s.7,Sch.III.

DEKKHAN AGRICULTURIST.

1. Preliminary.

Act 17, 1879, ss. 1, 11, 56, 60, 62, extend to whole of British India - Act17,1879,s.1(am.Act23, 1881,s.3;Act 23,1886,s.3; Act6,1895,s.4).

„ „ remaining sections extend to districts of Ahmadnagar, Poona, Satara and Sholapur, and may be extended by Government to other districts - - -

Definitions - - - - - - - - - - „ s.2(am.Act6, 1895,s.5).

2. Litigation.

Jagirdars and other authorities empowered under Bom. Reg. 13, 1830, and Act 15, 1840, to be Subordinate Judges under Act 17, 1879 - - - - - - - - - „ s.2A(ins.Act22, 1882,s.4).

Hearing of certain suits by Subordinate Judges:

Description of suits - - - - - - - „ s.3(am.Act23, 1881,s.5;Act 22,1882,s.5; Act23,1886, s.5).

DEKKHAN AGRICULTURIST—*cont.*

2. Litigation—*cont.*

Hearing of certain suits by Subordinate Judges—*cont.*:
Certain suits to be instituted in Courts of 1st class Sub-Judges — Act 17, 1879, section 4.
Sub-Judges not to be invested with Small Cause Court jurisdiction — „ s.5.
Power to direct that suits which a Sub-Judge is precluded from hearing by s. 16 of the Provincial Small Cause Courts Act, 1887, shall be heard by him — „ s.6.
Summons to be, when possible, for final disposal of suit — „ s.7(am.Act6, 1895,s.6).
Court when to examine defendant as a witness — „ s.7(am.Act6, 1895,s.6).
No appeal allowed — „ s.8.
General provisions as to suits and other proceedings to which agriculturists are parties:
Certain suits for recovery of money to be instituted where defendant resides — „ s.11.
In certain suits for recovery of money or on mortgages Court to examine both plaintiff and defendant as witnesses and enquire into history of transactions and take account; powers in taking such account — „ s.12(pt.rep.Act 23,1881,s.5;am. Act23,1886,s.6), ss.13,13A(ad. Act6,1895,s.7).
Further special powers of Court in mortgage suits — „ ss.15A,15AA,15B 15C,15D(ins. and am. Act 22,1882,s.6; Act6,1895, ss.8,9).
Suit for account — „ ss.15D(ins.Act 22,1882,s.6),16 to18,20.
Power of Court to fix instalments in execution — „ s.20.
Agriculturist not to be arrested or imprisoned in execution of decree for money — „ s.21(am.Act22, 1882,s.8).
Agriculturist's immoveable property not to be attached or sold unless specifically pledged, but may be placed under management of Collector — „ s.22(am.Act22, 1882,s.9;Act23, 1886,s.7;Act6, 1895,s.10).
Village munsifs: power to appoint — „ s.34.
„ „ suits triable by; exclusion of jurisdiction of other Courts — „ s.35.
„ „ finality of decrees and orders of, subject to revision — „ s.36(am.Act6, 1895,s.11).
„ „ power of Local Government to make rules as to procedure of, and conferring powers on — „ s.37.
„ „ ss. 11 to 22 not to apply to proceedings in Courts of, unless specially extended — „ s.23.
Insolvency; special provisions as to, in modification of Code of Civil Procedure, ss. 344 to 359:
Subordinate Judges to have jurisdiction — „ s.24.
Right of agriculturist owing Rs. 50 or more to obtain declaration of insolvency, though not arrested or imprisoned and no order of attachment issued — „ ss.25,26.

DEKKHAN AGRICULTURIST—*cont.*

2. Litigation—*cont.*

General provisions as to suits and other proceedings to which agriculturists are parties—*cont.*:

Insolvency; special provisions as to, in modification of Code of Civil Procedure, ss. 344 to 359—*cont.*:

Proof of debts	Act 17, 1879,	section 28.
Receiver; Nazir of Court to be, and not to have commission	,,	s.27.
,, immoveable property not to vest in, but may be placed under management of Collector; letting or selling of property for payment of secured debt	,,	ss.29,30(am.Act 22,1882,s.10), s.31.
Discharge of scheduled debts	,,	s.32.
Bar to appeals	,,	s.33.

3. Conciliation.

Appointment of Conciliators; local area of their authority	,,	s.38(am.Act23, 1881,s.7).
Matters which may be brought before Conciliator	,,	s.39.
Power of Conciliator to invite or direct attendance of parties	,,	s.40(am.Act23, 1886,s.8).
Conciliator to hear parties, and endeavour to reconcile them	,,	s.41.
,, to hear witnesses and read documents, and may admit oath	,,	s.42.
,, to record agreement of parties	,,	s.43.
,, may be appointed arbitrator		
Agreement finally disposing of dispute to be sent to subordinate Judge; such agreement when to be filed and have effect of decree and when to be returned to Conciliator	,,	s.44(am.Act6, 1895,s.12).
Agreement for reference to arbitration to be sent to Court having jurisdiction for necessary action	,,	s.45.
Certificate to be given when conciliation fails	,,	s.46.
Suit or application for execution of decree not to be entertained unless such certificate produced; exceptions	,,	s.47(am.Act23, 1881,s.9;Act22, 1882,s.13).
Time spent in endeavour to secure amicable agreement excluded in computing period of limitation for such suit or application	,,	s.48(am.Act23, 1881,s.10).
Power of Local Government to make rules as to procedure of Conciliators and as to their charges	,,	s.49.

4. Registration of Documents.

Village-registrar: power to appoint	,,	ss.55,63.
,, ,, to direct discharge of functions of, by village registrars concurrently	,,	s.55.
,, certain instruments invalid unless written by or under superintendence of, and executed in presence of, and attested by	,,	ss.56,57(am.Act23, 1881,ss.12,13; Act 22,1882,s.16; Act 23,1886,s.9).
,, instruments to which Government is a party not to be executed before	,,	s.62.
,, to keep register of instruments executed before him	,,	s.58(am.Act23, 1881,s.14; Act 23, 1886, s.10),s.64.
,, to enter copies in register and return originals to executants after endorsement		

DEKKHAN AGRICULTURIST—*cont.*

4. Registration of Documents—*cont.*

Village-registrar to give certified copy of registered instrument to applicant; such copy to be admissible as evidence; endorsement on such copies of receipt for payments	Act17,1879,s.58	(am.Act 23,1881,s.14; Act23,1886 s.10),s.64.
„ consideration to be fully stated in instruments written by or under superintendence of; endorsement by, as to transfer of consideration; production of prior instruments before	„	s.59.
„ registration by, deemed equivalent to registration under Act 3, 1877; instruments required to be executed before, not to be registered under that Act	„	s.60.
„ superintendence over, and custody of records of	„	s.61(*1*) (am.Act 6,1895, s.15).
„ destruction of unclaimed documents in office of	„	s.61(*2*) (am.Act 6,1895, s.15).
„ power to make rules as to appointment, punishment, remuneration and fees of	„	s.63.
Instruments required by Act 3, 1877, to be registered, to be executed, in case of agriculturists, in same manner as instruments registered by village-registrar	„	s.63A(ins.Act23, 1886,s.11).

5. Miscellaneous.

Superintendence of Courts and Conciliators and revision of their proceedings by District Judge, Assistant Judge, Subordinate Judge or Special Judge	„	ss.50to54(am.Act 23,1881,s.11; Act22,1882,ss. 14,15; Act6, 1895,ss.13,14).
Agriculturists entitled—		
to written receipts for payments	„	s.64.
to annual statement of account or to pass book periodically written up	„	ss.65,66.
Penalty for not giving such receipts, etc.	„	s.67.
Legal practitioners not to appear before Village-munsif or Conciliator	„	s.68(am.Act23, 1881,s.5;pt.rep. Act22,1882,s. 17).
Relative appearing for party before Village-munsif or Conciliator must have power-of-attorney		
Power of Subordinate Judge to direct Government pleader or other person to appear for agriculturist in suits, etc., before his Court	„	s.69.
Mortgage, lien or charge must be in writing; exceptions	„	s.70.
Restriction on application of s. 258 of Code of Civil Procedure (certifying payments under decree).	„	s.71(ins.Act6, 1895,s.16).
Rate of interest allowed in suit	„	s.71A(ins.Act6, 1895,s.17).
Special periods of limitation for certain suits	„	s.72(am.Act23, 1886,ss.12,17, Act6,1895,s.18).
Certain agricultural produce exempted from attachment, etc.	„	s.73A(ins.Act22 1882,s.18).

DEKKHAN AGRICULTURIST—*cont.*

5. Miscellaneous—*cont.*

Code of Civil Procedure to apply in suits and proceedings before Subordinate Judge except where inconsistent with Act 17, 1879 - } Act 17, 1879, section 74.
Additional power of Local Government to make rules for working of Act - - - - - - - - - } „ s. 75.
Publication of rules made under Act - - - - - - „ s.76.

DEMARCATION. *See* BOUNDARIES; SURVEY.

DEO ESTATE Act, 1886 - - - - - - - Act9,1886.

DEPUTY COLLECTOR.

Appointment, etc., of:
Bengal Districts. *See* LAND-REVENUE, IV, 2.
Calcutta. „ „ V.
Bombay. „ „ VII, A, 2.
Madras Presidency. „ „ XIII, 2.
N.-W. Provinces. „ „ XV, 2.

DE-REGULATIONISED TRACTS.

Tracts of country wholly or partially exempted from the operation of future Acts and Regulations or from the jurisdiction of the ordinary Courts:

Assam:
The Eastern Dvars, in the Goalpara District - - { Act16,1869,ss.2,3,5,6(rep. as to Bengal Districts,Ben. Act 7,1895).
Certain frontier tracts and certain tracts inhabited or frequented by barbarous or semi-civilised tribes - - } Reg.2,1880,ss.1,2. Reg.3,1884,s.1.

Bengal:
Angul District - - - - - - - Reg.1,1894,ss.3to5.
Hill-tracts of Chittagong - - - - - { Act 22,1860,s.1,Sch. (am.Ben.Act4, 1863).

Chota Nagpur Division:
Parts of the former districts of Ramghar, Jungle Mahals and Midnapur - - - - { Ben.Reg.13,1833,ss. 3to5,7. Act20,1854.
Santhal Parganas - - - - - - { Act37,1855,ss.1,2,Sch. (am.Act10,1857). Reg.3,1872,s.3(am.Reg.3, 1886).

See also SOUTH LUSHAI HILLS.

Bombay Presidency:
Village of Muchandi, in Satara - - - - Bom.Act3,1863,s.8.
British Baluchistan - - - - - - Reg.1,1890,s.3.
Burma:
Upper Burma (except the Shan States) - - - Act20,1886,s.6.
Shan States - - - - - - { „ s.8. Act15,1888.
Chin Hills - - - - - - Reg.5.1896,s.3.
Kachin Hills - - - - - - Reg.1,1895,s.3.

DE-REGULATIONISED TRACTS—*cont.*
Tracts of country wholly or partially exempted from the operation of future Acts and Regulations or from the jurisdiction of the ordinary Courts—*cont.*:
Madras Presidency:
Certain tracts in the Ganjam and Vizagapatam Districts - Act24,1839,ss.2,3,4,8(pt. rep.Mad.Act 1,1865).
North-Western Provinces:
Certain territories bordering on Bandelkhand - - Ben.Reg.22,1812,s.2(pt. rep.Act12, 1891).
Punjab:
Pargana of Spiti - - - - - - - Reg.1,1873,s.14.
DERELICT VESSELS (REPORT) ACT, 1896. (*See* MERCHANT SHIPPING) 59-60V.c.12.
DESERTION.
Act 11, 1856, declared in force—
throughout British India, except as regards the Scheduled Districts - - - - - - - - Act15,1874,s.3.
in the Santhál Parganas - - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
Penalty for harbouring European deserter from land forces in merchant vessel; jurisdiction of Magistrates; form of conviction; conviction to be quashed on merits only - - - Act11,1856,ss.1to3(pt. rep.Act12, 1873).
Apprehension of such deserters under warrant - - - „ ss.5to7(pt.rep. Act12,1873).
Act 11, 1856, not to bar prosecution under other law, but only one prosecution allowed - - - - - - „ s.4.
Penalty for harbouring deserter - - - - - (Bo. Town)Act13,1856, s.53.
By seaman. *See* MERCHANT SHIPPING, 2 (*g*).
Arrest of foreign deserter - - - - - - - Act10,1889,s.63.
Desertion from army or navy:
Penalties in connection with - - - - - Act45,1860,ss.135to137.
See also ARMY, 4 (*b*), 7 (*b*); INDIAN MILITARY AND NAVAL FORCES, III, 4; NAVY, 3 (*b*); ROYAL INDIAN MARINE, 2.
DESIGNS.
Act 5, 1888, extends to whole of British India - - - Act5,1888,s.1.
„ „ declared in force in British Baluchistan - - - Reg.1,1890,s.3.
Definitions - - - - - - - - - Act5,1888,sections 4,50.
Registration of - - - - - - - - „ ss.51,52,55, 56,58,61, Sch.V.
„ rectification of register by order of High Court - „ ss.59,60.
Word "registered" to be marked on articles sold to which registered design applied - - - - - - - - „ s.54.
Copyright in:
For five years after registration - - - - - „ s.53.
To cease if word "registered" not marked on article sold - „ s.54(2).
Suit for infringement of - - - - - - „ s.57.
Registration of cessation of - - - - - „ s.58.
Employment of agents in proceedings under Act - - - „ ss.47,61
Fees payable to Government in respect of proceedings under Act - „ s.62,Sch.VI.

DESIGNS—*cont.*
Power of Governor General in Council to make rules for working of Act and to amend forms - - - - - - Act 5,1888,s.63.

DESTRUCTION OF RECORDS ACT, 1879. (*See* RECORDS) - - - Act3,1879.

DHARWAR DISTRICT. *See* DEKKHAN, ETC., 2.

DILUVION. *See* ALLUVION AND DILUVION.

DISCHARGE OF SEAMEN. *See* MERCHANT SHIPPING, 2 (*d*).

DISCONTINUANCE OF TRAMWAY. *See* TRAMWAY, 6; TRAMWAYS, A, 6, 7.

DISEASE.
Control over spread of. *See* ANIMAL, A; INFECTIOUS DISEASE.

DISPENSARIES. *See* HOSPITALS AND DISPENSARIES.

DISPOSAL OF THE DEAD.

1. Town and Suburbs of Calcutta.

(*a*) *Burial of Christians.*

Burial Board; appointment and constitution of - - - Ben.Act5,1881,secs.2,3.
" " chairman of - - - - - - " s.4.
" " power of Local Government to place Government burial-grounds under control of - - - " s.5.
" " receipts and expenditure of - - - - " s.6.
" " power of Local Government to withdraw burial-ground from control of - - - - " s.9.
" " power of proprietors of Christian burial-ground to place it under control of - - - - " s.10.
" " officers and servants of - - - - " s.7.
" " power of, to make rules - - - - " s.8.

(*b*) *Burial of Muhammadans.*

Burial Board; appointment and constitution of - - - Ben.Act4,1889,secs.3,4.
" " chairman of - - - - - - " s.5
" " control of, over public Muhammadan burial-grounds - " ss.2,6,7,Sch.I.
" " power of owner of Muhammadan burial-ground to place it under control of - - - - " s.8.
" " power of, to purchase land for extension of existing or formation of new burial-ground - - " s.9.
" " power of Local Government to withdraw burial-ground from control of - - - - " s.10.
" " receipts and expenditure of - - - - " s.11.
" " officers and servants of - - - - " s.12.
" " power of, to make rules - - - - " s.13.

(*c*) *Burial of others.*

Power of Local Government to constitute Board for control of public burial-grounds used for; powers of such Board - - - " s.14,Sch.II.

2. Municipalities.

Aj., L.B., C.P. *See* MUNICIPALITY, II, 6 (*m*).
As. " " IV, 6 (*j*); V, 6 (*l*).
Ben. Districts. " " V, 6 (*l*).
Cal. " " VI, 6 (*n*).

DISPOSAL OF THE DEAD—*cont.*

2. Municipalities—*cont.*

Bom. Districts. *See* MUNICIPALITY, VII, 6 (*m*).
„ City. „ „ VIII, 6 (*l*).
N.-W. P. & Oudh. „ „ X, 6 (*e*).
Mad. Districts. „ „ XII, 6 (*o*).
„ City. „ „ XIII, 6 (*m*).
Punjab. „ „ XIV, 6 (*m*).

3. Cantonments.

Power to make rules as to use and management of burial and burning grounds in - - - - - - } Act13,1889,s.26(*18*).

DISTRAINT.

For arrear of rent:

See LANDLORD AND TENANT (ASSAM) II, A, 2; (BENGAL) III, A, 3; (C. P.) V, 2 (*a*); (MAD.) VII, 2 (*b*); (N.-W. P.) IX, 2; (OUDH) X, 2.

For arrear of land-revenue:

See cross references from COLLECTION OF LAND-REVENUE.

For recovery of municipal taxes and dues.

Aj., L. B., C. P. *See* MUNICIPALITY, II, 3.
U. B. „ „ III, 3.
As. „ „ IV, 3, 7; V, 3.
Ben. Districts. „ „ V, 3.
Cal. „ „ VI, 3.
Bom. City. „ „ VIII, 3.
Coorg & N.-W. P. „ „ IX, 3.
N.-W. P. & Oudh. „ „ X, 3.
Mad. Districts. „ „ XII, 3.
„ City. „ „ XIII, 3.
Punjab. „ „ XIV, 3.

Under Presidency Small Cause Courts Act. *See* SMALL CAUSE COURTS, A, 2.

Of ship. *See* MERCHANT SHIPPING, 1 (*b*).

Under Ports Act. *See* PORT, I, 6.

DISTRESSED SEAMEN. *See* MERCHANT SHIPPING, 2 (*d*).

DISTRICT.

Definitions of. *See* WORDS AND PHRASES.

Ajmere a single district - - - - - - Reg.1,1877,s.44.

In Bengal: list of; power to create, transfer and alter limits of. *See* LAND-REVENUE, IV, 1.

Power to constitute or vary:

In Bombay - - - - - - - - } Act14,1869,s.2. Bom.Act5,1879,s.7.
In British Baluchistan - - - - - - Reg.1,1890,s.3.
In Upper Burma - - - - - - Act20,1886,s.3.
In Central Provinces - - - - - - Act18,1881,s.14.
In Madras - - - - - - - - } Mad.Act1,1865(pt.rep. Act3,1873).
In N.-W. P. *See* LAND-REVENUE, XV, 1.
In Oudh. „ „ XVI, 1.
In Punjab - - - - - - - - } Act17,1887,s.5. Act18,1884,s.18.

DISTRICT BOARDS ACT (PUNJAB), 1883. (*See* LOCAL SELF GOVERNMENT) - - - - - - - - - - Act20,1883.

DISTRICT BOARD. *See* LOCAL SELF GOVERNMENT.

DISTRICT CESSES AND RURAL POLICE ACT (BURMA), 1880. (*See* LOCAL RATES AND CESSES, D) - - - - - - Act2,1880.

DISTRICT COUNCIL, C. P. *See* LOCAL SELF GOVERNMENT, V.

DISTRICT DAK. *See* POST OFFICE (INDIAN LAW), 6.

DISTRICT DELEGATES ACT, 1881. [*See* ADMINISTRATION (INDIAN LAW), 2] - - - - - - - - - Act6,1881.

DISTRICT JUDGE defined. *See* WORDS AND PHRASES.

DISTRICT MAGISTRATE defined. *See* WORDS AND PHRASES.

DISTURBED DISTRICT.

Act 11, 1857, declared in force—

- throughout British India, except as regards the Scheduled Districts - - - - - Act15,1874,s.3.
- in the Arakan Hill District - - - Reg.9,1874,s.3.
- in Upper Burma generally (except the Shan States) Act20,1886,s.6.
- in British Baluchistan - - - - Reg.1,1890,s.3.
- in Angul and the Khondmals - - - Reg.1,1894,s.3.
- in Kachin Hill-tracts, as regards hill-tribes - Reg.1,1895,s.3.
- in certain tracts in the Chin Hills - - Reg.5,1896,s.3.

„ „ not to apply to British-born subjects or their children - Act11,1857,section6.

Power of Local Government, when district is proclaimed to be in state of rebellion, to issue commission for trial of offences against the State or heinous crimes against person or property - - „ s.3(*1*).

Powers of Commissioners so authorised - - - - „ ss.3(2),4.

Power of Magistrates to commit for trial before such Commissioners - - - - - - - - - - „ ss.5,11.

Power to quarter additional police in, and recover cost from inhabitants - - - - - - - - - - Act5,1861,ss.15,16(am. Act8,1895, ss.4,6).

Power to award compensation to sufferers from misconduct of inhabitants of - - - - - - - - - „ ss.15A,16,46(am. Act8,1895, ss.5,6,15).

Power to employ additional police in disturbed area, and recover cost from inhabitants - - - - - - - Bom.Act4,1890,ss.25,26.

Persons duly warned not to pass into, reside or travel in; penalties - (U.B.)Reg.9,1887,ss.2to4.

Power to require security for good behaviour from persons suspected of intended disobedience to warning - - - „ „ s.5.

Reg. 9, 1887, declared in force—

- in Kachin Hill-tracts, as regards hill-tribes - - - Reg.1,1895,s.3.
- in certain tracts in the Chin Hills - - - - - Reg.5,1896,s.3.
- in British Baluchistan (with modifications) - - - Reg.1,1890,ss.3,4.

DIVISIONS.

In Bengal: list of; power to alter. *See* LAND-REVENUE, IV, 1.

Power to constitute or vary:

- Bombay - - - - - - - - - Bom.Act5,1879,s.4.
- Upper Burma - - - - - - - Act20,1886,s.3.
- N.-W. P. *See* LAND-REVENUE, XV, 1.
- Oudh. „ „ XVI, 1.
- Punjab - - - - - - - - - Act18,1884,s.18. Act17,1887,s.5.

DIVORCE ACT (INDIAN), 1869. (*See* MATRIMONIAL CAUSES, A) - Act4,1869.

DIVORCE BILLS EVIDENCE ACT, 1820.[1] (*See* EVIDENCE, I) - 1G.4,c.101.

DIVORCE. *See* MATRIMONIAL CAUSES, A, 3; C, 3; D.

„ among Muhammadans; registration of. *See* REGISTRATION OF BIRTHS, ETC., B, 2.

DIWAN'S ESTATE REGULATION, 1887 - - - - - Reg.3,1887.

DOCUMENTARY EVIDENCE ACT, 1868 } (*See* EVIDENCE, I) { - - 31-2V.c.37.
„ „ „ 1882 } { - 45-6V.c.9.

DOCUMENT.

Definitions of. *See* WORDS AND PHRASES.

Offences relating to. *See* CRIMINAL LAW (INDIAN), 16.

Processes to compel production of, in criminal proceedings. *See* CRIMINAL PROCEDURE (INDIAN), 5.

See also EVIDENCE, II, 3, 5.

DOG.

Muzzling of; destruction or detention of unmuzzled dogs - - Bom.Act4,1890,s.49.

Destruction of stray dogs - - - - - - - Mad.Act3,1889,s.10.

Destruction or detention of, by police - - - - (Cal.Sub.)Ben.Act2,1866, s.42. (Cal.)Ben.Act4,1866,s.102. (Bo.Districts)Bom.Act4, 1890,ss.49,50. (Bo.Town)Act13,1856, s.116. (Mad.City)Mad.Act 3,1888,s.29.

Muzzling of, in municipalities:

Aj., L. B., C. P. *See* MUNICIPALITY, II, 6 (*p*).

Punjab. „ „ XIV, 6 (*p*).

Destruction of stray dogs in municipalities:

As. *See* MUNICIPALITY, IV, 6 (*o*); V, 6 (*q*).

Ben. Districts. „ „ V, 6 (*q*).

Mad. Districts. „ „ XII, 6 (*v*).

Punjab. „ „ XIV, 6 (*p*).

DOMICILE ACT, 1861 [1] - - - - - - - 24-5V.c.121.

DOMICILE.

Power by Order in Council, under convention with foreign State, to declare that British subject residing and dying abroad, or foreigner residing and dying in United Kingdom, shall retain domicile for purpose of testate or intestate succession as to moveables, unless certain conditions for changes of domicile complied with - - 24-5V.c.121.

What form sufficient for execution of will of personalty by British subject abroad or in United Kingdom - - - - 24-5V.c.114.

Will not revoked by subsequent change of domicile - - - 24-5V.c.114,s.3.

See SUCCESSION, 2.

DOWER.

1. Preliminary.

Act 29, 1839, declared in force throughout British India, except as regards the Scheduled Districts - - - - - Act15,1874,s.3.

[1] This short title was given by 59 & 60 Vict. c. 14.

DOWER—*cont.*

1. Preliminary—*cont.*

Act 29, 1839, not to take effect before 1st July, 1840	Act29,1839,s.14.
„ „ repealed except as to marriages contracted before 1st January, 1866	Act8,1868.
Definitions	Act29,1839,s.1.

2. Right to, and Bar of Right.

Right to, out of equitable estates of inheritance	„ s.2.
„ where husband entitled to right of entry or action	„ s.3.
No right to, out of land disposed of by husband by deed or will	„ s.4.
Postponement of, to partial estates, charges and debts of husband	„ s.5.
Bar of, by declaration in deed or in will	„ ss.6,7.
Imposition of restrictions on, by will	„ s.8.
Bar by devise to widow of land subject to dower, unless contrary intention declared	„ s.9.
No bar by bequest of personalty, or devise of land not subject to dower, unless contrary intention declared	„ s.10.
Enforcement of agreement not to bar	„ s.11.
Saving for priority of legacies in satisfaction of	„ s.12.
„ certain rights and jurisdiction	„ s.15.
Restriction of claims under Muhammadan contracts of dower	(Aj.)Reg.3,1877,s.32. (O.)Act18,1876,s.5.

DRAINAGE ACT (BENGAL), 1880 — Ben.Act6,1880.

DRAINAGE.

1858. Act 1, s. 6 (Compulsory Labour, Madras).
1873. Act 8, ss. 3 to 13, 55 to 67, 69 to 73, 75 (Irrigation and Drainage, Central Provinces, N.-W. Provinces, Oudh, Punjab).
1874. Act 15, s. 4 (Laws Local Extent).
1876. Ben. Act 3, ss. 1, 3, 5, 40 to 45, 92 to 95, 97 to 99 (Irrigation and Drainage).
1879. Bom. Act 7, ss. 3, 4, 12 to 15, 31, 32, 38 to 41, 61, 63, 65 to 70 (Irrigation and Drainage).
1880. Ben. Act 6 (Drainage).
1882. Ben. Act 2, s. 91 (Embankments).
1895. Ben. Act 8 (Sanitary Drainage).

I.—BENGAL.

A.—UNDER THE BENGAL IRRIGATION ACT, 1876.
B.—UNDER THE BENGAL DRAINAGE ACT, 1880.
1. Preliminary.
2. Drainage Commissioners.
3. Drainage-scheme.
4. Supplemental.
C.—UNDER THE BENGAL SANITARY DRAINAGE ACT, 1895.
1. Preliminary.
2. Drainage Commissioners and Joint Committees of Local Authorities.
3. Drainage-scheme.
4. Supplemental.

II.—BOMBAY PRESIDENCY.

III.—CENTRAL PROVINCES, N.-W. PROVINCES, OUDH AND PUNJAB.

IV.—MADRAS PRESIDENCY.

DRAINAGE—*cont.*

I.—BENGAL.

A.—UNDER THE BENGAL IRRIGATION ACT, 1876.

Act applicable only to districts to which extended by Local Government	Ben. Act 3, 1876,	section 1.
Definitions	,,	s. 3.
Appointment of officers, etc.	,,	s. 5.
Power to prohibit obstructions in, or order their removal from, river, stream or natural drainage-course; portion of river, etc., so dealt with becomes a "drainage-work"	,,	s. 40.
Removal or modification of such obstructions, and recovery of cost	,,	ss. 41, 42 (pt. rep. Ben. Act 7, 1880, s. 3).
Preparation of scheme for works of improvement	,,	s. 43.
Compensation: claims for, how dealt with; limitation of claims	,,	ss. 44, 45.
Power of officers to summon and examine witnesses	,,	s. 92.
Penalties; removal of obstruction or repair of damage by convicted person; saving of prosecutions under other laws; compensation and rewards payable out of fines	,,	ss. 93 to 95, 97, 98.
Making and publication of subsidiary rules	,,	s. 99.

B.—UNDER THE BENGAL DRAINAGE ACT, 1880.

1. Preliminary.

Definitions	Ben. Act 6, 1880,	section 3.

2. Drainage Commissioners.

Appointment, etc., of Commissioners to carry out scheme and plans for drainage and improvement of land	,,	s. 4.
Qualifications of Commissioners; proceedings not invalid for want of qualifications		
Chairman of Commissioners; appointment and powers of	,,	ss. 5, 7, 8, 10.
Meetings of Commissioners	,,	ss. 6 to 9 (1).
Delegation of powers of Commissioners to Committee of their number; meetings of Committee	,,	s. 9 (2) to (4).
Officers and servants of Commissioners; appointment, etc., of	,,	s. 10.
Cessation of functions of Commissioners when objects of their appointment fulfilled	,,	s. 11.

3. Drainage-scheme.

Notification of	,,	s. 12, Sch. A.
Ascertainment of votes of landholders	,,	ss. 13 to 16.
If landholders of half the area to be improved have assented to adoption of scheme, Commissioners to consider it; adoption of scheme, in whole or in part; sanction of Local Government required to adoption	,,	ss. 17 to 19.
Modification of scheme by Commissioners	,,	s. 20.
Acquisition of land for carrying out scheme	,,	s. 21.
Power of Local Government—		
to have scheme carried out by special officer with advance from public funds	,,	s. 22.
to sanction modification of scheme on suggestion of such officer	,,	s. 23.
Compensation payable for damage caused by carrying out scheme	,,	s. 24.
Reports of progress and completion of works	,,	ss. 27, 28.

DRAINAGE—*cont.*

I.—BENGAL—*cont.*

B.—UNDER THE BENGAL DRAINAGE ACT, 1880—*cont.*

3. Drainage-scheme—*cont.*

Expenses connected with carrying out scheme :
- May be met by advances from public funds — Ben. Act 6, 1880, section 25.
- Interest on advances : rate of ; payment of, by landholders, and apportionment of, among them ; recovery of — „ s.26.
- Reports of expenditure ; certificate of Examiner of Accounts to be conclusive evidence as to advances — „ s.27.
- Commissioners to classify lands benefited by works and to apportion cost of construction and interest — „ s.28.
- Adjustment of excess or deficient payments of interest — „ s.29.
- Declaration as to liability to pay expenses where land benefited forms part of tenure — „ s.30.
- Expenses a first charge on land benefited ; charge not avoided by sale for arrears of revenue or rent — „ s.31.
- Publication, etc., of report describing apportionment — „ ss.32,34.
- Making of apportionment and report thereof by Government officers in default of Commissioners — „ s.33.
- Appeal against, and final determination of, apportionment — „ ss.35,36.
- Powers of Collector for recovery of apportioned sum — „ ss.37to40,48, Sch.B.
- Right of landholder to repay apportioned sum at any time — „ s.41.
- Recovery of apportioned sum, with interest, by superior from inferior holder of land, by enhancement of rent or otherwise ; intervention of Collector — „ ss.42to45.

Works to be subject to law relating to construction and maintenance of public embankments and public rivers, channels and outlets — „ s.46(qu.rep.Ben. Act2,1882,s.91).

Bengal Embankment Act, 1882, not to apply to embankment, land or water-course under operation of Ben. Act 6, 1880 — Ben. Act2,1882,s.91.

Land acquired, and works vested in Collector in behalf of Secretary of State — Ben. Act6,1880,section47.

Appointment or election of Committee of landholders to assist Collector in managing works — Ben. Act6,1880,section47.

Recovery of cost of maintenance of works — „ s.48.

4. Supplemental.

Treatment, for purposes of recovery of dues, of certain lands held free of rent or revenue — „ ss.50,51.

Power to direct that portion of adopted scheme shall be deemed a separate scheme — „ s.54.

Powers of Commissioners and officers for taking evidence — „ s.49.

Service of notices — „ s.52.

Defects and irregularities not to invalidate proceedings — „ ss.4,53.

Functions of Collector ; conferral of, by Local Government, on other persons — „ s.55.

„ „ delegation of, by himself — „ s.56.

General control of Commissioner of Division over Drainage Commissioners and Collector — „ s.57.

Making and publication of rules for carrying out provisions of Act — „ s.58.

Application of Ben. Act 6, 1880, to works carried out under former law (Ben. Act 5, 1871) — „ ss.59to63.

DRAINAGE—*cont.*

I.—BENGAL—*cont.*

C.—UNDER THE BENGAL SANITARY DRAINAGE ACT, 1895.

1. Preliminary.

Definitions - - - - - - - - - Ben. Act 8, 1895, ss. 2, 6, 13.

2. Drainage Commissioners and Joint Committees of Local Authorities.

Election and appointment of Commissioners, on application of District Board, when sanitary condition of land deteriorated by obstruction of drainage; qualifications of Commissioners - - „ s. 3(*1*).

Resignation of Commissioners; power to add to their number; filling of casual vacancies - - - - - - „ s. 5.

Chairman of Commissioners; election of - - - - - „ s. 3(*2*).

Election of Joint Committee, where lands are subject to more than one Local Authority - - - - - - „ s. 4(*1*).

Powers and proceedings of Joint Committee; payment of expenses by Local Authorities - - - - - - „ s. 4(*2*).

3. Drainage-scheme.

Engineer to prepare survey for restoration or improvement of drainage; Commissioners to prepare preliminary scheme; separate details to be shown for lands included in municipality - - „ s. 6(*1*).

Collector to prepare statement of cesses and estimate of rate to provide for cost of construction and maintenance of works - - „ s. 6(*2*).

Collector to invite objections to survey and preliminary scheme - „ s. 7, Sch.

Consideration of survey, scheme and objections by Commissioners and District Board - - - - - - „ ss. 8, 9.

If scheme rejected, District Board to pay expenses - - - „ s. 10.

Adoption of survey and preliminary scheme; calculation of rate to be imposed - - - - - - - „ ss. 11, 12.

Local Government may approve, modify or reject scheme - - „ s. 14.

District Board may reconsider and alter scheme; powers of Local Government thereon - - - - - - „ s. 15(*1*).

Publication of alterations in scheme - - - - - „ s. 15(*2*).

Acquisition of land for scheme - - - - - - „ s. 12.

Works by whom to be carried out; powers of entry exercisable by person executing works - - - - - - „ s. 17.

Report of progress of works - - - - - - „ s. 19.

Expenses connected with carrying out scheme:

Total cost what to include and how ascertained - - - „ ss. 18, 20.

Reports of expenditure - - - - - - „ s. 19.

Proportionate payments where area benefited is under different Local Authorities - - - - - - „ s. 19(*2*), (*3*).

Payment to be made by Municipal Commissioners when area benefited is under their control - - - - „ s. 25(*1*).

Determination of rate for payment of - - - - „ s. 21.

Rate to be published and paid with road-cess; recovery of arrears „ s. 22.

Recovery by superior from inferior holder of land of half the rate paid by the former - - - - - „ ss. 23, 24.

Power of Municipal Commissioners to add to the tax on persons or the rate on holdings, to provide for payment of - - „ s. 25(*2*).

Power of Local Government to stay proceedings until scheme revised, when satisfied that cost has been erroneously estimated - „ s. 34.

DRAINAGE—*cont.*

I.—BENGAL—*cont.*

C.—UNDER THE BENGAL SANITARY DRAINAGE ACT, 1895—*cont.*

3. Drainage-scheme—*cont.*

Expenses connected with carrying out scheme—*cont.*:
Works to be subject to law relating to construction and maintenance of public embankments, rivers, channels and outlets — Ben. Act 8, 1895, section 26.
Land acquired, and works vested in District Board — „ s.28.

4. Supplemental.

Penalty for obstructing natural drainage — „ s.27.
Powers of Commissioners and officers for taking evidence — „ s.29.
Defects and omissions not to invalidate proceedings — „ s.30.
Powers of Collector; conferral of, by Local Government on other persons — „ s.31.
„ „ delegation of, by himself — „ s.32.
General control of Commissioner of Division over Drainage Commissioners and Collector — „ s.33.
Making and publication of rules for carrying out provisions of Act — „ s.35.

II.—BOMBAY PRESIDENCY.

Definitions — Bom. Act 7, 1879, section 3.
Appointment of officers, etc. — „ s.4.
Power to prohibit obstructions in, or order their removal from, river, stream or natural drainage-course; portion of river, etc., so dealt with becomes a "drainage-work" — „ s.12.
Removal or modification of such obstructions, and recovery of cost — „ ss.13,14.
Preparation of scheme for works of improvement — „ s.15.
Compensation: in what cases payable for damage caused by exercise of powers under Act; limitation of claims; adjudication of claims; payment when to be made; interest when allowed on payments — „ ss.31,32,38to41.
Penalties; removal of obstruction or repair of damage by convicted person; saving of prosecutions under other laws; reward of informers — „ ss.61,63,65,66.
Appeal and supervision — „ s.67.
Power of officers to summon and examine witnesses — „ s.68.
Service of notices — „ s.6.
Making and publication of subsidiary rules — „ s.70.

III.—CENTRAL PROVINCES, N.-W. PROVINCES, OUDH AND PUNJAB.

Definitions — Act 8, 1873, sections 3,55,63.
Appointment of officers, etc. — „ s.4.
Power of Local Government to declare that water will be applied or used for purposes of drainage-work; consequences to ensue on such declaration (*for details see* IRRIGATION, V, 2) — „ ss.5to13.
„ to prohibit obstructions in, or order their removal from, river, stream or drainage-channel; portion of river, etc., so dealt with becomes a "drainage-work" — s.55.
Removal of such obstructions, and recovery of cost — „ s.56.
Preparation of schemes for works of improvement — „ ss.57,58.
Procedure for obtaining labour for works on emergency — „ ss.63to66.

DRAINAGE—*cont.*

III.—CENTRAL PROVINCES, N.-W. PROVINCES, OUDH AND PUNJAB—*cont.*

Compensation : claims for, how dealt with ; limitation of claims -	Act 8, 1873, sections 61, 62.
Rate on lands benefited by works ; imposition and recovery of -	„ ss. 59, 60.
Jurisdiction of Civil Courts - - - - - - -	„ s. 67.
Power of officers to summon and examine witnesses - - -	„ s. 69.
Penalties ; prosecutions under other laws ; compensation payable out of fines ; arrest ; making and publication of subsidiary rules -	„ ss. 70 to 73, 75.

IV.—MADRAS PRESIDENCY.

Act 1, 1858, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts - - - - -	Act 15, 1874, s. 4.
Penalty on villagers who are bound by custom to contribute labour for purpose of drainage work refusing to comply with requisition for labour - - - - - - - - - -	Act 1, 1858, s. 6.

DRAINS.

To be managed by Local Self Government Boards :

Bengal. *See* LOCAL SELF GOVERNMENT, III, 3.
Mad. „ „ „ „ VI, 3.

DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.

Regulation of, in municipalities :

Aj., L. B., C. P.	*See* MUNICIPALITY,	II, 6 (*f*).
U. B.	„ „	III, 6.
As.	„ „	IV, 6 (*f*) ; V, 6 (*f*), (*h*).
Ben. Districts.	„ „	V, 6 (*f*), (*h*).
Cal.	„ „	VI, 6 (*g*).
Bom. Districts.	„ „	VII, 6 (*f*).
„ City.	„ „	VIII, 6 (*f*).
Coorg & N.-W. P.	„ „	IX, 6.
N.-W. P. & Oudh.	„ „	X, 6 (*b*) ; XI, 3.
Mad. Districts.	„ „	XII, 6 (*f*), (*k*), (*o*).
„ City.	„ „	XIII, 6, (*f*).
Punjab.	„ „	XIV, 6 (*f*), (*r*), (*t*).

DRAMATIC COPYRIGHT ACT, 1833.[1] (*See* COPYRIGHT) - - 3-4 W. 4, c. 15.

DRAMATIC PERFORMANCES ACT, 1876 - - - - - - Act 19, 1876.

DRAMATIC PERFORMANCE.

Act 19, 1876, extends to whole of British India - - -	Act 19, 1876, s. 1.
„ „ declared in force in Upper Burma generally, except the Shan States (with modifications and with the exception of s. 12) - - - - -	Act 20, 1886, ss. 6, 7.
Power of Local Government or specially empowered Magistrate to prohibit public performance of scandalous, etc., play ; procedure and penalties - - - - - -	Act 19, 1876, sections 8 to 9.
Power of Local Government in specially notified areas to prohibit public performance of play without license, or until play submitted for official inspection ; penalty for disobedience - - -	„ s. 10.
In Upper Burma no dramatic performance to take place unless licensed ; penalty - - - - - -	„ s. 10 (am. Act 20, 1886, s. 7).

[1] This short title was given by 59 & 60 Vict. c. 14.

DRAMATIC PERFORMANCE—*cont.*

Penalty for holding, etc., unlicensed *pwè* in Lower Burma - - Act3,1889,s.13A(ins.Act 18,1895,s.2). Act9,1892,s.7A(ins.Act 18,1895,s.5).

Copyright in dramatic pieces. *See* COPYRIGHT, 2 (*b*), 5 (*a*).

DRINK. *See cross references from* FOOD AND DRINK.

DRUGS.

Punishment of offences relating to - - - - - - Act45,1860,ss.274to276.
Destruction of, on conviction of offence - - - - Act10,1882,s.521.
Control over sale of, in municipalities :
Aj., L. B., C. P. *See* MUNICIPALITY, II, 6 (*k*).
As. „ „ IV, 6 (*i*) ; V, 6 (*j*).
Bom. Districts. „ „ V, 6 (*j*).
Cal. „ „ VI, 6 (*l*).
Bo. City. „ „ VIII, 6 (*j*).
Punjab. „ „ XIV, 6 (*k*).
Intoxicating. *See* EXCISE, 3.
See also POISON.

DUTIES AND POWERS.

Statutory ; general provisions as to performance and exercise of. *See* ACTS OF PARLIAMENT, 1 ; ACTS AND REGULATIONS, ETC., 1.

EASEMENTS ACT (INDIAN), 1882 - - - - - - Act5,1882.

EASEMENT.

Act 5, 1882, extends *proprio vigore* to Central Provinces, Coorg and Madras Presidency - - - - Act5,1882,s.1.
„ „ extended to Bombay Presidency, North-Western Provinces and Oudh - - - - - Act8,1891.
„ „ not to affect rights of Government as to water, rights over immoveable property irrespective of other immoveable property, or rights acquired before commencement of Act - - - - Act5,1882,s.2.
Definition of "easement" and of terms used in connection therewith - - - - - - - - - „ ss.4,7.
Definition of "easement" - - - - - - Act15,1877,s.3(rep. locally,Act5,1882).
Description of various kinds of - - - - - Act 5, 1882, sections5,6.
Who may impose - - - - - - - - „ ss.8to11.
„ „ acquire - - - - - - - - „ s.12.
Easements of necessity, and *quasi* easements - - - - - „ ss.13,14.
Acquisition of, by prescription - - - - - - „ ss.15to17.
Customary easements - - - - - - - „ s.18.
Transfer of dominant heritage passes easement - - - - „ s.19.
Use of, may be controlled by contract, custom, etc. - - - - „ s.20.
„ barred, save as connected with enjoyment of dominant heritage - - - - - - - - „ s.21.
„ mode and confinement of - - - - - - „ s.22.
„ alteration of mode or place of - - - - - „ s.23.
„ right to do acts to secure - - - - - - „ s.24.
„ liability for charges connected with - - - - - „ ss.25,26.
„ rights and duties of servient owner in connection with - „ s.27.
„ right to obstruct in case of excessive - - - - - „ s.31.

EASEMENT—*cont.*

Use of, dominant owner not entitled to abate wrongful obstruction of	Act 5, 1882, section 36:
Extent of	,, s.28.
Increase of, by alteration of dominant heritage, barred	,, s.29.
How affected by partition of dominant heritage	,, s.30.
Disturbance of, prohibited	,, s.32.
,, suit for compensation for, when maintainable	,, ss.33,34.
,, injunction to restrain	,, s.35.
Extinction of	,, ss.37 to 50.
Suspension of	,, ss.49,50.
Revival of	,, s.51.
Acquisition of right to, by 20 years' enjoyment	Act 15, 1877, ss.26 to 28 (rep. locally, Act 5, 1882).

Intervention of Magistrate in case of dispute concerning. *See* CRIMINAL PROCEDURE (INDIAN), 6 (*d*).

EAST INDIA ANNUITY FUNDS ACT, 1874.[1] (*See* GOVERNMENT OF INDIA)	37-8V.c.12.
EAST INDIA COMPANY. *See* GOVERNMENT OF INDIA, 1.	
EAST INDIA COMPANY ACT, 1770.[1]	10G.3,c.47.
,, ,, ,, ,, 1772.[1] (*See* GOVERNMENT OF INDIA)	13G.3,c.63.
,, ,, ,, ,, 1780.[1]	21G.3,c.70.
,, ,, ,, ,, 1784.[1] (*See* CRIMINAL LAW (ENGLISH); EVIDENCE, I)	24G.3,sess.2,c.25.
,, ,, ,, ,, 1786.[1] (*See* CRIMINAL LAW (ENGLISH); EVIDENCE, I)	26G.3,c.57.
,, ,, ,, ,, 1793.[1] (*See* GOVERNMENT OF INDIA)	33G.3,c.52.
,, ,, ,, ,, 1797.[1] [*See* CRIMINAL LAW (ENGLISH); HIGH COURT]	37G.3,c.142.
,, ,, ,, ,, 1813.[1]	53G.3,c.155.
EAST INDIA COMPANY BONDS ACT, 1811.[1]	51G.3,c.64.
EAST INDIA COMPANY (MONEY) ACT, 1786.[1]	26G.3,c.62.
EAST INDIA COMPANY (MONEY) ACT, 1788.[1]	28G.3,c.29.
EAST INDIA COMPANY (MONEY) ACT, 1789.[1] (*See* GOVERNMENT OF INDIA)	29G.3,c.65.
EAST INDIA COMPANY (MONEY) ACT, 1791.[1]	31G.3,c.11.
EAST INDIA COMPANY (MONEY) ACT, 1793.[1]	33G.3,c.47.
EAST INDIA COMPANY (MONEY) ACT, 1794.[1]	34G.3,c.41.
EAST INDIA CONTRACTS ACT, 1870.[1]	*33-4V.c.59.*
EAST INDIA IRRIGATION AND CANAL ACT, 1869	32-3V.c.7.
EAST INDIA IRRIGATION AND CANAL COMPANY. Transfer of Orissa and Behar undertakings by the Company to the Secretary of State for India in Council	32-3V.c.7.

[1] This short title was given by 59 & 60 Vict. c. 14.

EAST INDIA LOANS ACT, 1858.[1] (*See* GOVERNMENT OF INDIA) - 21-2V.c.3.
EAST INDIA LOAN ACT, 1859.[1] - 22V.c.11.
EAST INDIA LOAN (No. 2) ACT, 1859.[1] - 22-3V.c.39.
EAST INDIA LOAN ACT, 1860.[1] - 23-4V.c.130.
" " " " 1861.[1] - 24-5V.c.25.
" " " " 1869.[1] - 32-3V.c.106.
" " " " 1873.[1] - 36-7V.c.32.
" " " " 1874.[1] - 37-8V.c.3.
" " " " 1877.[1] - 40-1V.c.51.
" " " " 1879.[1] - 42-3V.c.60.
" " " " 1885.[1] - 48-9V.c.28.
" " " " 1893. - 56-7V.c.70.
(*See* FINANCE)
EAST INDIA LOAN (EAST INDIAN RAILWAY DEBENTURES) ACT, 1880. - 43V.c.10.
EAST INDIA OFFICERS' ACT, 1826.[1] (*See* GOVERNMENT OF INDIA) - 7G.4,c.56.
EAST INDIA STOCK ACT, 1860.[1] - 23-4V.c.102.
EAST INDIA STOCK DIVIDEND REDEMPTION ACT, 1873. - 36-7V.c.17.
EAST INDIA UNCLAIMED STOCK ACT, 1885. - 48-9V.c.25.
(*See* FINANCE)
EAST INDIAN RAILWAY (REDEMPTION OF ANNUITIES) ACT, 1879[1] - 42-3V.c.43.
" " " " " " 1881 - 44-5V.c.53.
EAST INDIAN RAILWAY COMPANY.
Raising stock for redemption of annuity charged on Indian revenues for purchase of; purchase of annuity from holders - - 42-3V.c.43. 44-5V.c.53.
Raising loan for payment of debentures of - - - - 43V.c.10
EASTERN FRONTIER REGULATION (BENGAL), 1873.[2] (*See* FRONTIER) Reg.5 1873
EASTERN DUARS (IN GOALPARA DISTRICT, ASSAM).
Jurisdiction of Civil Courts, in matters connected with immoveable property, revenue or rent, withdrawn - - - - Act16,1869,section2.
Such jurisdiction to be exercised by officers appointed by Local Government - - - - - - - s.3.
Rules for guidance of such officers; power of Local Government to make additional rules - - - - - " ss.5,6,Sch.
Act 16, 1869, repealed in Bengal Districts - - - - Ben.Act7,1895.

EDUCATION.
To be carried on under authority of Local Self Government Boards:
Ajmere. *See* LOCAL SELF GOVERNMENT, II, 3.
Bengal. " " " " III, 3.
Bombay. " " " " IV, 3.
C. P. " " " " V, 3.
Madras. " " " " VI, 3.
N.-W. P. & Oudh. " " " " VII, 3.
Punjab. " " " " VIII, 3.
Provisions as to, in municipalities:
L. B. *See* MUNICIPALITY, II, 4.
U. B. " " III, 6.
As., Ben. Districts. *See* MUNICIPLITY, V, 6 (*q*).

[1] This short title was given by 59 & 60 Vict. c. 14.
[2] This short title was given by Notification No. 13, dated 11th October, 1875, in Gazette of India, 1875, Pt. I, p. 529.

EDUCATION—*cont.*
Provisions as to, in municipalities—*cont.*
Bom. City (School Fund). *See* MUNICIPALLITY, VIII, 4.
Coorg & N.-W. P. „ „ IX, 6.
Mad. Districts. „ „ XII, 6 (*u*).
Expenditure on, in cantonments - - - - - Bom.Act1,1884,s.48.
Colleges, etc., for natives. *See* GOVERNMENT OF INDIA, 3.
See also UNIVERSITY.

EDULABAD PARGANA. *See* DEKKHAN, ETC., 3.

ELDERS WIDOWS' FUND (INDIA) ACT, 1878 [1] - - - - 41-2V.c.47.

ELDERS WIDOWS' FUND.
Claim of certain subscribers to, on transfer of part of, to India Office Provident Fund - - - - - - - 41-2V.c.47,s.2.
Annual contribution of Secretary of State for India to - - „ s.3.
Power to trustees to apply capital in discharge of liabilities - - „ s.4.
Application of ultimate surplus; provision in case of deficiency - „ ss.5,6.

ELECTION.
To be free - - - - - - - - - 1W.&M.sess.2,c.2.[2]

ELECTRIC LIGHTING ACT (CALCUTTA), 1895 - - - - Ben.Act9,1895.

ELECTRICITY ACT, 1887 - - - - - - - Act13,1887.

ELECTRICITY.

1. British India generally.

Definitions - - - - - - - - - Act13,1887,s.2.
Notice to be given to District Magistrate or Commissioner of Police before supplying or using electricity publicly - - - „ s.3.
Power of Governor General in Council to make rules for protection of person and property and telegraph lines from injury by use of electricity - - - - - - - - - „ s.4.
Penalty for breach of Act or rules - - - - - „ s.5.
Authority to confer powers on public officers for placing appliances and apparatus for supply of electricity for Government purposes - „ s.6.

2. Bengal.

Ben. Act 9, 1895, applies *proprio vigore* to Calcutta - - Ben.Act9,1895,ss.3,etc.
„ „ „ may be extended to any municipality in Bengal by notification - - - - - - „ s.34.
Definitions - - - - - - - - - „ s.2.
Power to grant licenses for supply of electricity; conditions binding on licensees - - - - - - - - „ ss.3to5.
Power of Local Government to make rules and regulations for securing safety of public, etc. - - - - - - - „ ss.4,5.
Rights and obligations of licensees:
Powers and duties of licensees in connection with breaking up of streets, etc. - - - - - - - - „ ss.6to15.
Power of licensee to enter premises to inspect lines, to ascertain quantity of electricity consumed, etc. - - - - „ s.16.
Licensee not entitled to interfere with manner in which electricity supplied by him is used; proviso - - - „ s.17.

[1] This short title was given by 59 & 60 Vict. c. 14.
[2] This Act is indexed because it is published in the Collection of Statutes relating to India.

ELECTRICITY—*cont.*

2. Bengal—*cont.*

Rights and obligations of licensees—*cont.*:
All applicants to be supplied with electricity by licensee on equal terms - Ben.Act9,1895,ss.18,19.
Charges for supply of electricity by licensee, and recovery thereof „ ss.19to22.
Exemption of lines, fittings, etc., from distress, etc. „ s.23.
Restrictions on licensee as to interference with telegraph line „ s.24.
Offences and penalties „ ss.25,26.
Prosecutions under other laws not barred, but only one punishment allowed „ s.27.
Determination of amount and apportionment of sums due under Act „ s.28.
Recovery of sums due under Act „ s.29.
Service of notices by licensee „ s.30.
Summons; form of „ s.31.
Arbitration in case of dispute „ s.32.
Liability of Judicial Officer for electricity-rent, etc., not to disqualify him from acting in execution of Act „ s.33.
Application of Merchant Shipping Act to vessels propelled by. *See* MERCHANT SHIPPING, 11 (*c*).

ELEPHANTS PRESERVATION ACT, 1879 Act6,1879.

ELEPHANT, WILD.[1]
Killing, injuring or capturing elephants prohibited, except in defence of person or property or under license Act6,1879,ss.3,6.
Destruction of elephants prohibited, except—
in defence of person or property Mad.Act1,1873,s.2.
male elephants, under license „ ss.2,4.
„ „ by landholder on his own waste or forest land „ ss.2,5.
Grant of licenses to kill or capture Act6,1879,ss.5,6.
„ „ to shoot male elephants on Government waste or forest land Mad.Act1,1873,ss.7,8.
Elephants captured, and tusks of elephants killed, by unlicensed person to be Government property Act6,1879,sec.4(am.Act2, 1883).
Revenue, Police and Forest Officers may require production of license „ s.8.
Penalties „ ss.7,8. Mad.Act1,1873,ss.3,4,7.
Limitation of prosecutions Act6,1879,s.9. Mad.Act1,1873,s.9.
Recovery of license fees Act6,1879,s.10.
See also FOREST, 6; FRONTIER, D, 1.

EMBANKMENT ACT (BENGAL), 1873 Ben.Act6,1873.
„ „ „ 1882 Ben.Act2,1882.
„ „ (BURMA), 1877 Act13,1877.

EMBANKMENT.

1855. Act 32 (Embankments, Orissa and Sundarbans).
1866. Ben. Act 7 (Embankments, Orissa and Sundarbans: acquisition of land).
1873. Ben. Act 6, ss. 1, 2, 12, 13, 21, 26 to 29, Schs. B, C, D, E (Embankments; Bengal, except Orissa and Sundarbans).

[1] Act VI, 1879, extends to Lower Burma, the Central Provinces, Coorg, the North-Western Provinces and Oudh, and may be extended to other areas by notification.

EMBANKMENT—*cont.*

1874. Act 15, s. 6 (Laws Local Extent).
1877. Act 13 (Embankments, Lower Burma).
1882. Ben. Act 2 (Embankments; Bengal, except Sundarbans).

I.—BENGAL.
A.—ORISSA AND SUNDARBANS
B.—ELSEWHERE
1. Preliminary.
2. Management, Construction and Maintenance.
3. Supplemental.
II.—LOWER BURMA .....
III.—PUNJAB .....

Definitions of. *See* WORDS AND PHRASES.

I.—BENGAL.

A.—ORISSA AND SUNDARBANS.

1. Preliminary.

Act 32, 1855, declared in force throughout Bengal, except as regards the Scheduled Districts	Act15,1874,s.6.
Act 32, 1885, and Ben. Act 7, 1866, repealed except in Orissa and Sundarbans	Ben.Act6,1873,ss.1,2.
Definition of "embankment" and "public embankment"	Act32,1855,s.2.
Definition of "Collector"	„ s.21. Ben.Act7,1866,s.10.
Definition of "owner"	„ s.10.

2. Management, Construction and Maintenance.

Public embankments and water-courses, and embanked tow-paths maintained by Government, to vest in Government	(Or.)Ben.Act2,1882,ss.4, 94.
Certain embankments, water-courses and embanked tow-paths to be held on behalf of Government, and other embankments and water-courses to be held by Government on behalf of interested persons	
Continued use of lands by Government, free of payment, for obtaining earth for repairs	„ „ ss.5,94.
Engineer's power to take earth, etc., for purposes of repairs	„ „ ss.34,94.
Superintendence of public embankments entrusted to Superintendent of Embankments	Act 32, 1855, section 3.
Power of Superintendent to direct that embankment be taken charge of by Government officers, to remove embankment, to change line of public embankment and to make new embankment; invitation and consideration of objections; appeals; bar to jurisdiction of Civil Courts	„ ss.4 5.
Power of Superintendent to enlarge and maintain public embankment	„ s.4,cl.4.
Expense of maintaining embankment taken over from private person to be charged to him; limit to charge	„ s.6.
Compensation payable when Superintendent enlarges, changes line of, makes new, or removes, embankment:	
Claim to be considered by Revenue-authorities; restrictions on resort to Civil Courts	„ s.7,cl.1.
Arbitration when to be resorted to	
Procedure for arbitration	„ s.7,cls.2to9.
Power to defer payment of compensation	„ s.7,cl.10.
Reversal or alteration of award; reference to other arbitrators	„ „ cl.11.
Dismissal of suits against Government	„ „ cl.12.

EMBANKMENT—*cont.*

I.—BENGAL—*cont.*

A.—ORISSA AND SUNDARBANS—*cont.*

2. Management, Construction and Maintenance—*cont.*

Compensation payable when Superintendent enlarges, changes line of, makes new, or removes, embankment—*cont.*:		
Estimated value of benefit to be set off against compensation	Act 32, 1855,	s.7,cl.13.
Compensation for huts, trees or crops to be settled by Collector only	„	„ cl.14.
Construction of sluice in public embankment for purpose of drainage or irrigation, on application of landholders, etc.	„	s.8.
Recovery, from persons other than the applicants, of part of cost of construction of such sluice; enquiry before assessing their shares; restriction on resort to Civil Courts	Ben. Act 7, 1866,	section 6.
Opening of sluice in public embankment	Act 32, 1855,	section 9.
Making of temporary water-course or roadway through or over public embankment, or temporary dam in embanked river	„	s.10.
Annual specifications and estimates for, and final accounts of cost of, works kept up at expense of landholders and others: preparation and examination of; disposal of objections to; appeal; recovery of cost	„	s.11.
Removal of buildings situated between public embankment and river:		
Report by Superintendent to Collector, when former considers removal necessary	„	s.12,cl.1.
Collector to invite claims to compensation	„	s.12,cl.2.
Selection of jury to determine value of buildings and rights of claimants; award of jury; bar to jurisdiction of Civil Courts	„	s.12,cls.3to5.
Notice to parties to receive amount awarded and remove buildings	„	s.13.
Removal by Collector in default of parties; recovery of cost; penalty for obstruction	„	ss.14,15.
Power of Superintendent of Embankments or Engineer to begin work immediately in case of grave and imminent danger to life or property; payment of compensation and restoration of embankment, etc., when immediate action determined to have been unnecessary	(Or.) Ben. Act 2, 1882,	ss.25, 26, 92, 93.
Acquisition of land for purposes of Act:		
Application of Land Acquisition Act		
Interest payable on amount of compensation		
No compensation payable when Collector has not received same from person whose lands benefited	Ben. Act 7, 1866,	s.1.
Power of Collector, after enquiry, to charge cost of acquisition on owners of lands benefited by construction, etc., of public embankment; restrictions on resort to Civil Courts; what included in cost of acquisition; recovery of cost	„	ss.2to5.
Act not to affect existing obligation to give land gratuitously or to pay for land acquired under it	„	s.9.

3. Supplemental.

Disposal of land no longer required for purposes of Act	„	s.7.

EMBANKMENT—*cont.*

I.—BENGAL—*cont.*

A.—ORISSA AND SUNDARBANS—*cont.*

3. Supplemental—*cont.*

Penalty for unauthorised interference with public embankment or water-course - - - - - -	(Or.)Ben.Act2,1882, ss.76, 94.
„ unauthorised erection, etc., of embankment, or obstruction or diversion of water-course, in notified tract -	
„ wilful damage to embankment by cutting, etc. - -	Act32,1855,s.16.
„ wilful damage to public embankment by making obstruction, etc. - - - - - -	„ s.17.
Jurisdiction of Magistrates; appeal from their orders - -	„ ss.18,20.
Delegation of powers of Collector to Deputy Collector; appeal from order of Deputy Collector - - - - -	Ben.Act7,1866,s.8.

B.—ELSEWHERE.

1. Preliminary.

Ben. Act 6, 1873, repealed, except ss. 12, 13, 21, 26 to 29, and Schs. B, C, D, E - - - - - - - -	Ben.Act2,1882, s.2,Sch.I.
Ben. Act 6, 1873, ss. 12, 21, 26, amended - - - -	„ s.2,Sch.II.
Definitions - - - - - - - - -	„ s.3.

2. Management, Construction and Maintenance.

Public embankments and water-courses, and embanked tow-paths maintained by Government, to vest in Government - -	Ben.Act6,1873,Sch.D.
Certain embankments, water-courses and embanked tow-paths to be held on behalf of Government, and other embankments and water-courses to be held by Government on behalf of interested persons - - - - - - - -	Ben.Act2,1882,ss.2,4, Sch.I.
Continued use of lands by Government, free of payment, for obtaining earth for repairs - - - - -	„ s.5.
Execution of works at instance of Collector:	
Transfer of embankment or water-course to charge of Government officers, removal or alteration of embankment or obstruction, changing of line of, or renewing, public embankment, making of new embankment, making of sluice, making or alteration of water-course, or alteration of road interfering with drainage:	
Estimates, plans, specifications and map to be prepared, and notice issued, by Collector - - - -	„ ss.7to9, Sch.III.
Enquiry into objections - - - - -	„ s.10.
Order after enquiry; reference to Commissioner, Board of Revenue and Local Government for sanction to execution of work; power of Local Government to dispense with reference to higher authority - - - -	„ ss.11to15.
Power of Collector to require that alteration of road or construction of water-course under or through road be carried out by person in charge of road; carrying out of work by Government officers in default of such person; expenses by whom to be borne - - - - - - - -	„ s.17(pt.rep. Act9,1890).

EMBANKMENT—*cont.*

I.—BENGAL—*cont.*

B.—ELSEWHERE—*cont.*

2. Management, Construction and Maintenance—*cont.*

Making of sluice in public embankment for purpose of drainage or irrigation, or erection, improvement, etc., of embankment or water-course, on application to Collector — Ben. Act 2, 1882, s. 18.

Removal by Collector of trees or buildings situated between public embankment and river; acquisition of land for construction, etc., of embanked tow-path; application of Land Acquisition Act — „ s. 19.

Removal of trees or buildings in pursuance of Ben. Act 2, 1882, s. 19, in cases of emergency, without resorting in the first instance to the Land Acquisition Act; compensation — Ben. Act 6, 1873, s. 21, prov. Ben. Act 2, 1882, s. 2, Schs. I, II.

Reference by Collector to Commissioner where works or lands situated in different districts — „ s. 20.

Appointment and functions of Embankment Committee; conduct of business; reference to Commissioner when Collector differs from Committee — „ ss. 21 to 24, 90(*b*).

Procedure in case of grave and imminent danger to life or property:

Power of Collector or Engineer to begin work without completing enquiries; notice to be given when land situated in another district; payment of compensation and restoration of embankment, etc., when immediate action determined to have been unnecessary — „ ss. 25 to 27, 29.

Power of Engineer to repair and maintain public embankments, public water-courses, etc. — „ s. 30.

Making of temporary road-way or water-course over or through public embankment, or temporary dam in embanked river or public water-course, on application to Engineer — „ s. 31.

Opening and shutting of sluice in public embankment — „ s. 32.

Engineer's powers of entry, survey, etc.; notice of entry; payment to be made for damage done — „ s. 33.

Engineer's power to take earth, etc., for purposes of repairs; compensation for crops; acquisition of land — „ ss. 34 to 36.

Engineer's powers subject to control of Collector — „ s. 28.

Application of Land Acquisition Act when land required for purposes of Act — „ s. 37.

Acquisition of land and earth in pursuance of Ben. Act 2, 1882, s. 25 or s. 30, in cases of emergency, without resorting in the first instance to the Land Acquisition Act; compensation — Ben. Act 6, 1873, ss. 12, 13, 26 to 29, Schs. B, C. Ben. Act 2, 1882, s. 2, Schs. I, II.

Compensation for injury caused in execution of Act:

When claimable — Ben. Act 2, 1882, s. 38.

Limitation of claims — „ s. 39.

Procedure for determining amount and person to whom payable; matters to be considered — „ ss. 40, 41.

Cost of works:

To be paid, in the case of certain embankments, wholly or partly by Government — Ben. Act 6, 1873, Schs. D, E. Ben. Act 2, 1882, ss. 2, 42 to 46, Sch. I.

EMBANKMENT—*cont.*

I.—BENGAL—*cont.*

B.—ELSEWHERE—*cont.*

2. Management, Construction and Maintenance—*cont.*

Procedure when payment to be made by zamindar :

Specifications and estimates to be prepared by Engineer and sent to Collector	Ben.Act2,1882,	ss.47to49.
Notice of such specifications and estimates; disposal of objections	,,	s.50.
Accounts of actual expenses; certificates and statements as to lands benefited, etc.	,,	s.51.
Notice of such accounts, certificates and statements; disposal of objections	,,	s.52.
Collector to make an order specifying total sum payable; order when to be served on persons liable to pay	,,	s.53.
Zamindar's liability to pay	Ben.Act6,1873,Sch.E. Ben.Act2,1882,ss.2,51,54, Sch.I.	
Recovery by zamindar or tenure-holder of share of cost apportioned to under-tenant	Ben.Act2,1882,	ss.55,74.
Notice of amounts payable and of apportionment thereof between zamindars; procedure for making apportionment; amount apportioned how payable; interest chargeable	,,	ss.56to62.
Alternative power of apportioning estimated expenditure for a series of years; notice; disposal of objections; amount apportioned how payable; interest chargeable	,,	ss.63to67.
Final order of apportionment, specifying estates, sums payable, dates of payment, etc.; making, and giving notice of, order	,,	ss.68,69.
Procedure for recovery of sums payable	,,	ss.70,73.
Separate liability, etc., when separate account opened under Act 11, 1859, Ben. Act 7, 1876, section 70, or Ben. Act 9, 1880	,,	s.71.
Sums payable first charge on estate; charge not avoided by sale and joint liability not affected by partition of estate	,,	s.72.

3. Supplemental.

Disposal of land no longer required for purposes of Act; application of proceeds	,,	s.87.
Penalty for obstructing person in execution of Act	,,	s.75.
,, unauthorised interference with public embankment or water-course	,,	s.76(*a*).
,, unauthorised erection, etc., of embankment, or obstruction or diversion of water-course, in notified tract	,,	ss.6,76(*b*).
,, unauthorised cutting through or destroying public embankment, or opening or shutting sluice, etc.	,,	s.77.
,, unauthorised diverting of water-course, removal of earth from public embankment, grazing of cattle on public embankment, etc.	,,	s.78.
Removal of obstruction, or repair of damage, on conviction of offender	,,	s.79.

EMBANKMENT—*cont.*

I.—BENGAL—*cont.*

B.—ELSEWHERE—*cont.*

3. Supplemental—*cont.*

Publication of proclamations and notices	Ben. Act 2, 1882,	section 80.
Service of notices and orders	,,	s. 81.
Powers of Collector and Commissioner for taking evidence	,,	s. 82.
Mistakes in form not to invalidate proceedings	,,	s. 83.
Delegation of powers of Collector to Deputy Collector	,,	s. 88.
Appeals from orders when to lie; limitation; control of Local Government, Board of Revenue and Commissioners	,,	ss. 84 to 86, 88, 90(c).
Jurisdiction of Magistrates	,,	s. 89.
Rules; making and publishing of	,,	s. 90.
Act not to apply to embankments, lands or water-courses which are subject to certain other Acts	,,	s. 91.

II.—LOWER BURMA.

Definition of "embankment" and "Embankment Officer"	Act 13, 1877,	s. 2.
Power to impress labour and take materials when speedy execution of work required to prevent loss of life or extensive damage to property	,,	s. 3.
Preparation and revision of list of labourers	,,	s. 4.
Payments to be made for labour impressed and materials taken	,,	s. 5.
Compensation to be paid for damage done in taking materials	,,	s. 6.
Penalty for grazing, trespass, cutting of trees, etc., on embankment, or obstructing drain or sluice connected with embankment	,,	s. 7.
Embankment Officers and others deemed "public servants"	,,	s. 8.

III.—PUNJAB.

Embankments to be under control of District and Local Boards	Act 20, 1883, ss. 20, 21.

EMIGRATION ACT (INDIAN), 1883 — Act 21, 1883.

,, ,, AMENDMENT ACT (INDIAN), 1897 — Act 7, 1897.

EMIGRATION.

OF NATIVES OF INDIA UNDER AGREEMENT TO LABOUR FOR HIRE IN—
A.—FOREIGN COUNTRIES
B.—ASSAM
1. Preliminary.
2. Protection of Emigrants.
3. Miscellaneous Provisions.

C.—OF NATIVES OF INDIA FROM MADRAS PRESIDENCY UNDER AGREEMENT TO LABOUR FOR HIRE IN OTHER PARTS OF INDIA .....

A.—OF NATIVES OF INDIA UNDER AGREEMENT TO LABOUR FOR HIRE IN FOREIGN COUNTRIES.

1. Preliminary.

Act 21, 1883, extends to whole of British India	Act 21, 1883, s. 1.
,, ,, declared in force in the Santhál Parganas	Reg. 3, 1872, s. 3 (am. Reg. 3, 1886).
,, ,, does not apply to Government vessels	Act 21, 1883, s. 2.

EMIGRATION—*cont.*

A.—OF NATIVES OF INDIA UNDER AGREEMENT TO LABOUR FOR HIRE IN FOREIGN COUNTRIES—*cont.*

1. Preliminary—*cont.*

Act 21, 1883, applies to emigration of natives of India by sea under agreement to labour for hire in countries beyond India other than Ceylon or Straits Settlements	Act21,1883,section6(*1*).	
Power to exempt from Act natives of India emigrating by sea under agreement to labour for hire in protected Native State adjoining Straits Settlements or in country for which they are recruited through the agency of the Government of those Settlements	„	s.102(am.Act 18,1890,s.7; Act7,1897,s.2). Act18,1890,section8.
Application of Act to—		
emigration from British Indian ports to French and Dutch Colonies under certain Conventions	Act21,1883,section103.	
proceedings in British India connected with emigration from French Indian ports to French colonies under Convention	„	s.104.
Prohibition of departure by land of native of India under agreement to labour for hire in country beyond sea; exceptions; penalty	„	s.105(am.Act 18,1890,s.9; Act1,1896,s.1).
Power to declare Act inapplicable to natives of India engaged for Her Majesty's Government to labour for hire in any country beyond the sea	„	s.106(ad.Act1, 1896,s.2).
Ports from which emigration lawful	„	s.7.
Countries to which emigration lawful	„	s.8,Sch.I.
Power of Governor General in Council—		
to prohibit emigration to specified country	„	ss.9,10(*2*).
to revoke such prohibition	„	s.11.
Power of Local Government to suspend emigration to specified country pending reference to Governor General in Council	„	s.10(*1*).
Power of Local Government to prohibit emigration from its territories	„	s.12.
Notifications under ss. 9 to 12 not to affect prior acts, etc.	„	s.13.
Definitions	„	s.6.

2. Protection of Emigrants.

(1) Official Supervisors:		
Emigration Agent; appointment of, by foreign country, subject to approval of Local Government	„	s.14.
„ „ how remunerated	„	s.15.
Protector of Emigrants; appointment of, by Local Government; his status, etc.	„	s.16.
„ „ general duties of	„	s.17.
Medical Inspector of Emigrants; appointment of, by Local Government; his status	„	s.18.
Facilities to be afforded to Protector and Medical Inspector	„	s.19.
(2) Recruiters:		
Licensing of	„	ss.20(*1*),21, 22,Sch.II.
Countersignature of license by District Magistrate	„	ss.23to25.
Unlicensed persons not to act as	„	s.20(*2*).
To have and use statement of terms of agreement they are authorised to offer to emigrants	„	s.26.

EMIGRATION—*cont.*

A.—OF NATIVES OF INDIA UNDER AGREEMENT TO LABOUR FOR HIRE IN FOREIGN COUNTRIES—*cont.*

2. Protection of Emigrants—*cont.*

(2) Recruiters—*cont.*:

To provide accommodation for emigrants pending their registration, etc.; official control over places of accommodation	Act 21, 1883,	section 27.
(3) Registration of emigrants and execution of agreements to emigrate	„	ss. 28 to 31, 35 to 40 (ss. 31, 35, 37 am. Act 18, 1890, ss. 1 to 3).
Power to refuse registration of married woman or dependent	„	ss. 32 to 34.
Persons of or over 16 may execute agreement	„	s. 39.
Power of parent or guardian to make agreement on behalf of minor	„	s. 40.

(4) Emigration depôts:

Establishment and licensing of	„	ss. 41, 42.
Inspection of, and reports as to	„	ss. 43, 44.
Isolation in, or removal from, of emigrants suffering from infectious disease; recovery of expenses from Emigration Agent	„	s. 45.
Conveyance of emigrants to	„	ss. 46, 47.
Report of arrivals at	„	s. 48.
Medical inspection on arrival at	„	s. 49 (am. Act 18, 1890, s. 4).

(5) Compensation to emigrants for ill-treatment, etc.:

Power to order Emigration Agent to pay— compensation and expenses, when emigrant has been ill-treated, etc., on journey	„	s. 52.
expenses of return journey of emigrant and dependents to their home, with compensation, in cases of irregularity in recruitment, etc.	„	ss. 50, 51.
Power for Protector of Emigrants to make such payments and recover from Emigration Agent	„	s. 53.

(6) Emigrant vessels:

Licensing and survey of	„	ss. 54 to 56 (am. Act 18, 1890, s. 5).
Accommodation required on board	„	s. 57.
Space required for each emigrant	„	s. 58.
Provisions, clothing, fuel and water for emigrants	„	ss. 59, 61.
Surgeon, medical attendants and medical stores	„	ss. 60, 61.
Bond to be executed by master	„	s. 62.
Seasons in which vessel may leave India	„	s. 64.
Scale of probable lengths of voyages for purposes of Act; power to alter scale	„	s. 101, Sch. III.
Embarkation of emigrants	„	ss. 63, 65 to 69.
„ „ fee payable by Agent to Protector	„	s. 73.
Certificates from Protector and Agent to be carried by	„	s. 71.
Copies of Act and rules to be kept on board	„	s. 72.

EMIGRATION—*cont.*

A.—OF NATIVES OF INDIA UNDER AGREEMENT TO LABOUR FOR HIRE IN FOREIGN COUNTRIES—*cont.*

2. Protection of Emigrants—*cont.*

(6) Emigrant vessels—*cont.*:

Master to see to observance of Act and rules	Act 21, 1883,	section 74.
„ to take emigrant's pass on embarkation and return it to him before disembarkation	„	ss. 66, 75.
Vessels sailing from Calcutta:		
To leave within 24 hours of embarkation	„	s. 76.
To be towed to sea	„	s. 77.
Landing of sick emigrants at Diamond Harbour	„	s. 78.
Landing of all emigrants at Diamond Harbour, if cholera appears	„	s. 79.

3. Miscellaneous Provisions.

Power of Governor General in Council to make rules; publication of rules	„	ss. 80, 81.
Offences and penalties	„	ss. 82 to 95.
Initiation of prosecutions	„	s. 96.
Defences to charge of desertion	„	s. 97.
Power of Customs-officers to search and detain vessels for prevention of offences	„	s. 98.
Power to appoint Magistrates	„	s. 99.
Power of Protector to institute suit against Emigration Agent	„	s. 100.

B.—OF NATIVES OF INDIA UNDER AGREEMENT TO LABOUR FOR HIRE IN ASSAM.

1. Preliminary.

Act 1, 1882, extends *proprio vigore* to Assam, Bengal, Central Provinces, North-Western Provinces, Oudh and Ganjam District of Madras, and may be extended by notification to other parts of Madras Presidency	Act 1, 1832,	s. 1 (am. Act 7, 1893, s. 2).
„ „ declared in force in the Santhál Parganas	Reg. 3, 1872,	s. 3 (am. Reg. 3, 1886).
„ „ applies to emigration of natives of India to labour districts (*i.e.*, Cachar, Darrang, Goalpara, Kamrup, Lakhimpur, Nowgong, Sibsagar or Sylhet) from other territories to which Act applies, for purpose of labouring for hire	Act 1, 1882,	section 3 (am. Act 7, 1893, s. 3).
Power to exempt labour district from operation of Act	„	s. 4 (am. Act 7, 1893, s. 4).
Power of Local Government to prohibit emigration from its territories	„	s. 5.
Notifications under ss. 4, 5, not to affect prior acts, etc.	„	s. 6.
Subject to s. 5, Act not to affect free emigration or ordinary contract law	„	s. 7.
Definitions	„	s. 3 (am. Act 7, 1893, s. 3).

EMIGRATION—*cont.*

B.—OF NATIVES OF INDIA UNDER AGREEMENT TO LABOUR FOR HIRE IN ASSAM—*cont.*

2. Protection of Emigrants.

(1) Official Supervisors :
Appointment, etc., of officers — Act 1, 1882, section 8.
Delegation of Inspector's functions to Assistant Inspector — „ s.194.
(2) Labour-contracts :
Contents, term and execution of — „ s.9(am.Act7, 1893,s.5), Sch.(am. Act7,1893, s.37; Act5, 1897).
Not to compel underground labour unless expressly so provided — „ s.9A(ins.Act 7,1893,s.6).
To require labourer to work on any estate of employer, unless there is express provision to the contrary — „ s.10.
May be made by person of 16 or upwards — „ s.11.
Power to cancel, in case of wrongful recruitment, sickness, etc.; return of labourer and dependents to their home and recovery of expenses — „ ss.11Atol1D (ins.Act7,1893, s.7),43,45,47 to49,78,79.
Wages due under, a charge upon estate — „ s.190.
Owner of estate for the time being has all rights and remedies in respect of contracts charged on it — „ s.191.
See also below, (3), (4), (6), 3.
(3) Recruiting by contractors :
Licensing of contractors and sub-contractors — „ ss.12,16,18(s.16 am.Act7, 1893,s.8).
General powers and liabilities of contractor — „ ss.17,18.
Licensing of contractors' recruiters — „ ss.24to27,29.
Provision of places of accommodation by contractor's recruiter; supervision of such places by Magistrate — „ ss.27to29.
Medical examination of recruits — „ s.30.
Registration of recruits — „ ss.31to36.
Emigration Depôts :
Maintenance of, by recruiting contractor — „ s.19.
Inspection and supervision of — „ s.20.
Conveyance of recruits to — „ ss.36to38.
Report of arrivals at — „ s.39.
Medical inspection on arrival at — „ s.40.
Execution, etc., of labour-contract at — „ ss.41,42,42A, 42B(ins.Act 7,1893,s.9).
Sick labourers and their dependents to be maintained at, by contractor, till they can return home — „ ss.44,47to49.
Hospital-depôts; establishment and maintenance of — „ ss.21,22.
Compensation to labourers for ill-treatment, etc.; power to require contractor to pay — „ ss.46,49.
Labourers to be accompanied to labour-district by contractor; way-bill — „ s.50.

IIGRATION—*cont.*

B.—OF NATIVES OF INDIA UNDER AGREEMENT TO LABOUR FOR HIRE IN ASSAM—*cont.*

2. Protection of Emigrants—*cont.*

(4) Recruiting by Garden Sardars and Local Agents:

Grant of certificate by employer to garden-sardar, and counter-signature thereof by Inspector or Magistrate	Act 1, 1882,	secs. 51 to 56.
Power to cancel such certificates	,,	s. 58.
Provision of places of accommodation by garden-sardar; inspection of such places by Magistrate	,,	s. 57.
Licensing and employment of local agents; their powers and duties; power to cancel license	,,	ss. 59 to 64.
Medical examination of recruits	,,	s. 67.
Registration of recruits	,,	ss. 65 to 68, 70 to 72.
Execution of labour-contract	,,	s. 69.
Garden-sardar to accompany labourers to labour-district, or send competent person with them; way-bill; food and lodging to be provided on journey	,,	ss. 73, 75 to 79.
No restriction on number of persons to be engaged by garden-sardar	,,	s. 74.
Compensation to labourers for ill-treatment, etc.; power to require garden-sardar, etc., to pay	,,	ss. 78, 79.
Medical examination of labourers *en route*; detention in case of sickness; recovery of expenses	,,	ss. 80 to 83.
Power of employer's agent in Calcutta to cancel contract on payment of compensation, etc.	,,	ss. 84 (am. Act 7, 1893, s. 10), 85.

(5) Transport by River:

Licensing of vessels	,,	ss. 87 to 90.
Number of passengers	,,	ss. 89, 92.
Power to restrict number of passengers on particular voyage	,,	s. 91.
Master of vessel to make returns, etc.	,,	s. 93.
Provision of food, medical attendance, etc.	,,	s. 94.
Licensing of medical officer of vessel	,,	s. 95.
Regulation of departure of vessels	,,	ss. 96, 97.
Labourers not to be allowed to leave vessel *en route*	,,	s. 98.
Report to, and inspection by, Magistrate *en route*	,,	ss. 99, 100.
Regulation of communication with land *en route*	,,	s. 101.
Procedure where passengers sick	,,	ss. 102 to 104.
Removal of excess passengers	,,	s. 105.
Report of infraction of Act or rules; power to detain vessel	,,	s. 106.
Power of Local Government to make rules	,,	s. 107.
Delegation of Magistrate's functions	,,	s. 108.
Ss. 87 to 108 not to apply to transport by sea	,,	s. 86 (pt. rep. Act 7, 1893, s. 11).

(6) Control in labour-district:

Annual rate payable by employers	,,	ss. 109, 110.
Making, registration, cancellation, etc., of local labour-contracts	,,	ss. 111, 111A, 111B, 112, 112A, 112B (ins. Act 7, 1893, s. 12).

EMIGRATION—*cont.*

B.—OF NATIVES OF INDIA UNDER AGREEMENT TO LABOUR FOR HIRE IN ASSAM—*cont.*

2. Protection of Emigrants—*cont.*

(6) Control in labour-district—*cont.*

Returns by employers - - - - - - Act 1, 1882, section 11
General powers of supervision exercisable by Magistrate over treatment, etc., of labourers - - - - - „ s.114(am.Act 1893, s.13)
Regulation of amount of, and payment for, labour - - „ ss.115to119(a 115am.Act 1893, s.14 s.116pt.rep Act5,1897
Suspension or determination of labour-contract in case of sickness of labourer - - - - - - „ ss.120,12
Subsistence-allowance to labourer during sickness - - „ s.121(am.Act 1893, s.15
House-accommodation, food, hospital-accommodation, etc., for labourer - - - - - - - - „ ss.123to127
Powers and procedure where estate or part thereof unfit for residence of labourers - - - - - „ ss.128,128A 129,129A 130to135 (am.Act7, 1893,ss.16 to22).
Hearing and decision of complaints made by labourers - - „ ss.134to139.
Labour-contract:
Power to cancel contract on conviction of employer, or if wages in arrear, or if ill-usage proved - - - „ s.140.
Power to cancel contract of labourer related to labourer whose contract is cancelled or determined - - „ s.140A(ins.Act 7,1893,s.23).
Endorsement of determination of - - - - „ s.141.
Power to redeem - - - - - - „ s.142(am.Act7, 1893,s.24).
„ equalise terms of contract in case of husband and wife - - - - - „ s.142A(ins.Act 7,1893,s.25).
Re-patriation of labourers and others - - - - „ ss.142Bto142F (ins.Act7 1893,s.25).
(7) Ben. Act 1, 1889, [1] extends to the whole of Bengal - - Ben.Act1,1889, section 1.
Definitions - - - - - - - „ s.2(am. Act5,1897, s.2,Sch.II).
Power of Local Government to make rules for protection of health of emigrants on their way from Bengal to Assam in cases where emigration is not controlled under Act 1, 1882 - „ s.3.

3. Miscellaneous Provisions.

General powers of Local Government for making rules - - Act1,1882,ss.143to145 (am.Act7, 1893,s.26).

[1] Ben. Act 1, 1889, has been extended to Assam by notification under the Scheduled Districts Act, 1874.

IGRATION—*cont.*

B.—OF NATIVES OF INDIA UNDER AGREEMENT TO LABOUR FOR HIRE IN ASSAM—*cont.*

3. Miscellaneous Provisions—*cont.*

Offences and penalties	Act 1, 1882,	ss.146to170 (am.Act7,1893, ss.27to30),171, 178,183,183A (ins.Act7, 1893,s.35), 184to186.
Penalty for abetment		s.187.
Deserters:		
Statement of, by employer; apprehension of, without warrant; procedure of police and Magistrate; punishment of	„	ss.171A,172to 175(s.171A ins.,and ss. 173,175am. Act7,1893, ss.31to33).
Compensation to, for wrongful arrest	„	s.176.
Cancellation of contract of	„	s.177.
Conviction not ordinarily to operate as a release from contract	„	s.181.
Endorsement on contract of periods of imprisonment or unlawful absence; such periods to be added to term of contract	„	ss.182,182A, 182B,182C (ins.Act7, 1893,s.34).
Cancellation of portion of sentence on application of employer	„	s.179.
Expense of forwarding labourer to be paid by employer	„	ss.180,181.
Place of trial of offenders	„	s.188.
Prosecutions under other laws not barred, but only one punishment allowed	„	s.189.
Inland Labour Transport Fund; constitution and application of	„	s.192(am.Act 7,1893,s.36).
Powers of Local Government and officers exerciseable from time to time	„	s.195.

C.—OF NATIVES OF INDIA FROM MADRAS PRESIDENCY UNDER AGREEMENT TO LABOUR FOR HIRE IN OTHER PARTS OF INDIA.

Definitions	Mad.Act5,1866,	sectionI.
Contract not to be made with native of India in Madras Presidency for labour in any other part of India except under Act; exception as to seamen and menial servants	„	s.2.
Protectors of labourers:		
Appointment and status of	„	s.3.
General duties of	„	s.4.
Licensing of contractors or recruiters of labourers	„	ss.5to9,Schs.A,B.
Labourers to appear before Protector before entering into engagement; registration of labourers, and power to refuse registration; fee for registration	„	ss.10,11.
Labourers not to be compelled to emigrate; saving of civil and criminal liability	„	s.12.

EMIGRATION—*cont.*

C.—OF NATIVES OF INDIA FROM MADRAS PRESIDENCY UNDER AGREEMENT TO LABOUR FOR HIRE IN OTHER PARTS OF INDIA—*cont.*

Establishment of depôts, and maintenance of labourers therein; supervision and management of depôts - - - - Mad.Act5,1866,secti
Accommodation and provisions for labourers on ship - - „
Fees received by Protector to be accounted for to Government - „
Offences and penalties - - - - - - - „ ss.12,14,16
Prosecutions: initiation of: jurisdiction of Magistrates - - } „
Recovery of fines - - - - - - - }
Mad. Act 5, 1866, repealed as to emigration to Burma - - Act3,187

ENCUMBERED ESTATES. *See* INCUMBERED ESTATES.

ENDOWMENT.

1. Charitable.

Ben. Reg. 19, 1810, declared in force—
throughout Bengal, except as regards the Scheduled Districts - Act15,187
in Ajmere (with a modification) - - - - Reg.3,187
Mad. Reg. 7, 1817, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts - - } Act15,187
Objects of Ben. Reg. 19, 1810 - - - - - Ben.Reg.19,1810,
„ „ Mad. Reg. 7, 1817 - - - - - Mad.Reg.7,1817,
Superintendence of endowments for charitable purposes, and of public edifices, vested in Board of Revenue - - - } Ben.Reg.19,1810 Mad.Reg.7,1817
Board to see to due appropriation of such endowments - - { Ben.Reg.19,1810, Mad.Reg.7,1817,
„ provide for due repair and maintenance of public edifices - Mad.Reg.7,1817,
„ recommend disposal of ruined edifices - - - { Ben.Reg.19,1810, Mad.Reg.7,1817,
„ prevent such endowments and edifices being diverted to private use - - - - - - } Ben.Reg.19,1810, Mad. Reg.7,1817,
District Agents:
Appointment of - - - - - - { Ben.Reg.19,1810,ss. Mad.Reg.7,1817,ss.
To obtain full information in regard to such endowments and public edifices and report misappropriations to Board - - } Ben.Reg.19,1810,s Mad. Reg.7,1817
To ascertain particulars as to existing trustees, managers or superintendents, report vacancies and nominate successors - { Ben.Reg.19,1810,s Mad.Reg.7,1817,s
Board to appoint new trustees, etc. - - - - - { Ben.Reg.19,1810,s. Mad.Reg.7,1817,s.
Right of suit by interested persons not barred - - - { Ben.Reg.19,1810,s. Mad.Reg.7,1817,s.
Punishment of native servants and other persons guilty of fraud or embezzlement - - - - - - - } „ s.
Ben. Reg. 19, 1810—
repealed so far as it required the Board to provide for the due repair of public edifices - - - - } Ben.Reg.17,1816,s.
„ so far as it related to endowments for support of mosques, Hindu temples and other religious purposes - - } Act20,1863,s

OWMENT—*cont.*

1. Charitable—*cont.*

n. Reg. 19, 1810—*cont.*
repealed in Assam - - - - - - Act5,1897.
„ in North-Western Provinces - - - - Act8,1884.
functions of Board of Revenue under, to be discharged in Ajmere by Chief Commissioner - - - - Reg.3,1877,s.3.
ad. Reg. 7, 1817, repealed so far as it related to endowments for support of mosques, Hindu temples and other religious purposes - Act20,1863,s.1.
ower of Board, in transferring property of religious endowment to trustees, etc., to retain property which is devoted to secular purposes - - - - - - - - - „ s.21.
ower to transfer to Municipal Council management of charitable endowments under Mad. Reg. 7, 1817 - - - - Mad.Act4,1884,s.26.
ct 6, 1890, extends to whole of British India, inclusive of British Baluchistan and Upper Burma - - - Act 6, 1890, section1.
„ „ not to affect authority of Advocate General or Official Trustee - - - - - - - „ s.15.
efinition of "charitable purpose" - - - - - „ s.2.
reasurer of Charitable Endowments :
Appointment and incorporation of - - - - „ ss.3,11.
Power to vest property of charitable trust in, on application - „ ss.4,7.
Power, on application, to settle scheme for administration of property so vested in - - - - - - „ ss.5,7.
Such applications to be made by persons acting in administration of the trust, etc. - - - - - - „ s.6.
Power to transfer property from one, to another - - „ s.12
Bare trusteeship of; limitation of functions of - - - „ ss.4(*4*),8,10
Account to be kept by - - - - - - - „ s.8(*2*).
List and abstract of accounts to be published by - - „ s.9.
Power to make forms and rules for working of Act - - - „ s.13.
Control over Local Government by Governor General in Council - „ s.16.
Indemnity to Government and Treasurer - - - - „ s.14.
Suits by Advocate General relating to - - - - - Act14,1882,s.539(am.Act 7,1888,s.44).
Powers of High Court in certain cases. *See* TRUST, B.
Apprenticing of child by manager of public charity. *See* APPRENTICE.
Administration of the Murray Charitable Trust by the Wardens of St. John's Church - - - - - - - Ben.Act2,1897.

2. Religious.

Mosques, temples and other religious establishments in respect of which Government has right to nominate or confirm the nomination of the trustee, manager or superintendent :
Local Government to appoint committees to take the place of *the Board of Revenue* and local agents - - - - Act20,1863,ss.3,7,8..
Tenure of office of such committees; filling of casual vacancies - „ ss.9,10.
Member of committee not to be also trustee, manager or superintendent - - - - - - - - „ s.11.
Property of, under superintendence of Board of Revenue or local agents, to be transferred to committee; powers of committee - „ s.12.

ENDOWMENT—*cont.*

2. **Religious**—*cont.*

Other religious establishments:
- Property of, under superintendence of Board of Revenue or local agent, to be transferred to trustee, manager or superintendent — Act20,1863,secti
- Rights, etc., of such trustee, etc. — „
- Appointment of manager for, on application, in case of dispute as to right of succession; rights, etc., of such manager — „
- Power of Board, in making any such transfer, to retain portion of property which is devoted to secular purposes — „ s
- Trustees, etc., to keep accounts, and committee to require production of same — „ s
- Right of persons interested to sue trustee, etc., or committee; reference to arbitration — „ ss.14tol rep.A 18
- In case of suit, Court may require production of accounts — „ s
- Suit not to bar criminal proceedings — „ s.
- Government and its officers not to interfere further in affairs of mosque, temple or other religious establishment — „
- Saving of right of Government to take steps to preserve public edifices — „
- Act 20, 1863, extended to Kanara district of Bombay Presidency, with amendments — Bom.Act7,1

Coorg:
- Reg. 4, 1892, applies to certain temples and institutions and may be applied by notification to others — Reg.4,1892,sec.1(2),S
- "Funds" include cash allowances paid by Government and certain other moneys — „ s
- Funds to be under management of Committee — „ s
- Constitution of such Committee; appointment, election, term of office, resignation and removal of members; filling of casual vacancies — „ ss.3t
- Member of Committee not to act as manager or hold paid office — „ s.
- President of Committee; meetings of Committee — „ ss.11to
- Appointment, duties and punishment of managers — „ ss.15,
- Accounts — „ ss.16,
- Legal proceedings by and against Committee; reference to arbitration — „ ss.18to
- Reference of disputes to District Judge; appeal to Judicial Commissioner — „ s.
- Power of Local Government to make rules for working of Regulation — „ s.
- Notification of appointments and rules — „ s.
- Government and its officers not to take part in management or control of funds, temples or institutions except as provided in Regulation — „ s.

ENGINEERS' CERTIFICATE VALIDATION ACT, 1894. (*See* MERCHANT SHIPPING) — Act15,18

ENTRY AND INSPECTION.

Powers of, in municipalities:
- Aj., L. B., C. P. *See* MUNICIPALITY, II, 6 (*r*).
- Cal. „ „ VI, 6 (*k*), (*l*), (*m*).
- Bom. Districts. „ „ VII, 6 (*q*).

NTRY AND INSPECTION—*cont.*

Powers of, in municipalities—*cont.*:

Bom. City. *See* MUNICIPALITY, VIII, 6 (*p*).
N.-W. P. & Oudh. „ „ X, 6 (*g*); XI, 3.
Mad. Districts. „ „ XII, 6 (*k*), (*n*), (*s*).
„ City. „ „ XIII, 6 (*b*), (*i*), (*j*), (*l*), (*q*).
Punjab. „ „ XIV, 6 (*r*).

PIDEMIC DISEASES ACT, 1897. (*See* INFECTIOUS DISEASE) - Act3,1897.

RRORS OF COURTS.

Government not liable for. *See* COURTS.

QUIPMENT. *See* MERCHANT SHIPPING, 7 (*a*).

SCHEAT.

Occurs when intestate leaves no kindred - - - - Act10,1865,s.28.
Ben. Reg. 19, 1810, declared in force—
throughout Bengal, except as regards the Scheduled Districts - Act15,1874,ss.6.
in Ajmere (with a modification) - - - - Reg.3,1877,s.3.
Mad. Reg. 7, 1817, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts - - Act15,1874,s.4.
Superintendence of, vested in Board of Revenue - - - Ben.Reg.19,1810,s.7. Mad.Reg.7,1817,s.6.
District Agents:
Appointment of - - - - - - - Ben.Reg.19,1810,ss.8,9. Mad.Reg.7,1817,ss.7,8.
To obtain full information in regard to, and report misappropriations to Board - - - - - - Ben.Reg.19,1810,s.10. Mad.Reg.7,1817,s.9.
Ben. Reg. 19, 1810—
repealed in Assam - - - - - - Act5,1897.
„ North-Western Provinces - - - - Act8,1884.
functions of Board of Revenue under, to be discharged in Ajmere by Chief Commissioner - - - - Act3,1877,s.3.

ESTATE defined. *See* WORDS AND PHRASES.

ESTATES ACT (OUDH), 1869. (*See* TALUQDARS AND GRANTEES, OUDH) - - - - - - - - - Act1,1869.

ESTATES PARTITION ACT, 1876. (*See* PARTITION) - - - Ben.Act8,1876.

ESTOPPEL. *See* EVIDENCE, II, 4; NEGOTIABLE INSTRUMENT, 10.

EUNUCH. *See* CRIMINAL TRIBES AND EUNUCHS.

EUROPEAN BRITISH SUBJECTS.

Definition of. *See* WORDS AND PHRASES.
Validation of laws made by Governor or Lieutenant-Governor in Council conferring jurisdiction over - - - - 34-5V.c.34,s.1.
Committal of, to High Court - - - - - „ s.2.
Power of Bengal, Bombay and Madras Councils to repeal or amend Acts validated by Act 22, 1870 - - - - - „ s.3.
Provisions as to trial of. *See* CRIMINAL PROCEDURE (INDIAN), 5 (*l*), 8 (*6*), 9 (*l*), 11 (*l*), 12 (*5*).
In Aden, when triable by High Court, Bombay, and when by Resident - - - - - - - Act2,1864,ss.21,22.
Criminal jurisdiction of Chief Court, Punjab, over - - - Act18,1884,s.7.
Jurisdiction of Justices of the Peace over - - - - 34-5V.c.34.
Jurisdiction of Recorder of Rangoon over. *See* RECORDER OF RANGOON.

EUROPEAN BRITISH SUBJECTS—*cont.*

Criminal jurisdiction over, in Sindh - - - - - Act5,1872,s.4(ad.Act2(1872

Certain local High Courts not to have criminal jurisdiction over - (Aj.)Reg.1,1877,s.3(
(L.B.)Act11,1889,s.2(
(Co.)Reg.2,1881,s.1(

Inferior Courts not to have power of imposing capital punishment on 3-4W.4,c.85,s.4(

Provisions of Code of Criminal Procedure as to, maintained in Angul Reg.1,1894,s.3(

Saving of jurisdiction over, on Assam frontier - - - Reg.2,1880,s.2

Criminal jurisdiction over, not affected by Scheduled Districts Act Act14,1874,s.8

Saving of criminal jurisdiction over, in South Lushai Hills - Reg.3,1896

How far they lose their privileges under Code of Criminal Procedure on becoming vagrant - - - - - - Act9,1874,s.30

See also EUROPEANS AND AMERICANS.

EUROPEAN FORCES (INDIA) ACT, 1860.[1] (*See* INDIAN MILITARY AND NAVAL FORCES) - - - - - - 23-4V.c.100

EUROPEAN VAGRANCY ACT, 1874. (*See* VAGRANT) - - - Act9,1874

EUROPEANS AND AMERICANS.

Criminal proceedings against. *See* CRIMINAL LAW (INDIAN), 2; CRIMINAL PROCEDURE (INDIAN), 11 (*1*); EUROPEAN BRITISH SUBJECT.

In Aden; trial of, by jury - - - - - - - Act2,1864,ss.24to27

EVIDENCE ACT (INDIAN), 1872 - - - - - - Act1,1872.

„ „ AMENDMENT ACT (INDIAN) - - - - Act18,1872.

EVIDENCE BY COMMISSION ACT, 1859 [1] - - - - 22V.c.20.

„ „ „ „ 1885 - - - - 48-9V.c.74.

EVIDENCE.

1772-3. 13 Geo. 3, c. 63, ss. 40, 42, 44, 45 (Evidence for Courts in United Kingdom).
1784. 24 G. 3, sess. 2, c. 25, ss. 78 to 81 (Evidence for Courts in United Kingdom).
1786. 26 Geo. 3, c. 57, ss. 28, 38 (Evidence for Courts in United Kingdom).
1820. 1 Geo. 4, c. 101[2] (Divorce).
1843. 6-7 V. c. 22[2] (Colonial legislation).
1856. 19-20 V. c. 113.[2]
1859. 22 V. c. 20[2] (Commission).
1867-8. 31-2 V. c. 37[2] (Documentary).
1870. 33-4 V. c. 52, s. 24 (Extradition, Foreign Tribunals).
1872. Act 1 (Evidence Act).
„ Reg. 3, s. 3 (Laws, Santhál Parganas).
1873. 36-7 V. c. 60, s. 5 (Extradition, Foreign Tribunals).
1874. Reg. 9, s. 3 (Laws, Arakan Hills).
1879. Act 21, s. 19 (Taking evidence for foreign tribunals).
1881. 44-5 V. c. 58, s. 127 (Repeal).
„ 44-5 V. c. 69, ss. 15, 29 (Fugitive Offenders).
1882. 45-6 V. c. 9[2] (Documentary).
„ Act 14, s. 431 (Civil Procedure).
1884-5. 48-9 V. c. 74[2] (Commission).
1886. Act 20, s. 6 (Laws, Upper Burma).
1887. Act 14, s. 68 (Royal Indian Marine).
1890. 53-4 V. c. 37, s. 5 (Foreign Jurisdiction).
„ Reg. 1, ss. 3, 4 (Laws, British Baluchistan).
1891. Act 18 (Bankers' books).
1894. Reg. 1, s. 3 (Laws, Angul).
1895. 58-9 V. c. 9[2] (Documentary).
„ Reg. 1, s. 3 (Laws, Kachin Hills).
1896. Reg. 5, s. 3 (Laws, Chin Hills).

I.—ENGLISH LAW - - - { 1. **Taking evidence in Courts of Judicature, etc.**
2. **Proof and Admissibility of various Documents.**

[1] This short title was given by 59 & 60 Vict, c. 14.
[2] Collective title ("Evidence Acts——") given by 59 & 60 Vict. c. 14.

IDENCE—*cont.*

II.—INDIAN LAW - - - { 1. Preliminary. 2. Relevancy of Facts. 3. Proof. 4. Estoppel. 5. Witnesses. 6. Miscellaneous Provisions.

I.—ENGLISH LAW.

1. Taking evidence in Courts of Judicature, etc.

Mandamus by High Court, England, to Courts in India for taking evidence	13G.3,c.63,ss.44,45.
Taking of evidence in India for bill of divorce in England	1G.4,c.101.
Taking evidence by commission in India, on indictments and information in Queen's Bench, and proceedings in Parliament for offences in India	13G.3,c.63,ss.40,42,45. 24G.3,sess.2,c.25,ss.78to 81. 26G.3,c.57,s.28.
Taking evidence by commission, in proceedings pending before any tribunal in British dominions out of the jurisdiction of such tribunal; power of Courts to nominate examiner; power to make rules for giving effect to Acts; oath or examination of witness	22V.c.20. 48-9.V.c.74.
Endorsement in one grouped British Possession of summons to witness on charge of offence triable in another	44-5V.c.69,s.15.
Validity of laws made by Legislatures of British Possessions for admission of evidence of persons having no religious belief	6-7V.c.22.
Foreign tribunals:	
Attendance and examination of witnesses in British dominions, and production of documents—	
in civil matters pending before	19-20V.c.113.
in criminal matters, not political, pending before	33-4V.c.52,s.24. 36-7V.c.60,s.5.
Power, by Order in Council, to extend 19 & 20 Vict. c. 113, etc., to any place to which Foreign Jurisdiction Act, 1890, *applies*	53-4V.c.37,s.5,Sch.I.
Admission of depositions, etc., under Fugitive Offenders Act	44-5V.c.69,s.29.

2. Proof and Admissibility of various Documents.

Proof in Great Britain of documents signed in India	26G.3,c.57,s.38.
Proof of Royal Proclamations, Orders in Council, Orders of Privy Council, Treasury, Admiralty, Secretary of State, Board of Trade, etc., in United Kingdom or British Possession; saving of legislative powers of British Possession	31-2V.c.37. 58-9V.c.9.
Proof of documents printed under superintendence of Stationery Office	45-6V.c.9.

See also MERCHANT SHIPPING, 11 (*b*).

II.—INDIAN LAW.

1. Preliminary.

Act 1, 1872 (the Indian Evidence Act, 1872)—	
extends to the whole of British India	Act1,1872,s.1.
declared in force—	
in the Santhál Parganas	Reg.3,1872,s.3(am.Reg.3, 1886).

EVIDENCE—*cont.*

II.—INDIAN LAW—*cont.*

1. Preliminary—*cont.*

Act 1, 1872 (the Indian Evidence Act, 1872)—*cont.*
declared in force—*cont.*
in Angul and the Khondmals - - - - Reg.1,1894,s.
in the Arakan Hill District - - - - Reg.9,1874,s.
in Upper Burma generally except the Shan States (with an addition) - - - - - - - Act20,1886,ss.6,
in Kachin Hill-tracts, as regards hill-tribes - - - Reg.1,1895,s.
in certain tracts in the Chin Hills - - - - Reg.5,1896,s.
in British Baluchistan (with an addition) - - - Reg.1,1890,ss.3,
Act 18, 1872 (amending the Indian Evidence Act, 1872), declared in force in —
the Santhál Parganas - - - - - - Reg.3,1872,s.3(am.Reg. 1886
the Arakan Hill District - - - - - Reg.9,1874,s.3
Upper Burma generally (except the Shan States) - - Act20,1886,s.6
Act 1, 1872, applies to all judicial proceedings in or before Courts (including Courts-martial), but not to affidavits or to proceedings before an arbitrator - - - - - - - Act1,1872,s.
Court-martial under Army Act of 1881 not subject to provisions of Act 1, 1872 - - - - - - - - 44-5V.c.58,s.12
Act 1, 1872, is applicable, subject to modifications, to proceedings before Indian Marine Courts - - - - - - Act14,1887,s.68
General definitions. (*See also* WORDS AND PHRASES) - - Act 1, 1872, sections 3,4.

2. Relevancy of Facts.

Of what facts evidence may be given - - - - - „ ss.5to16(ss.14, 15,am.Act3, 1891,ss.1,2).
Admission; definition of - - - - - - - „ ss.17to20.
„ in what cases it may be proved - - - „ ss.21to23.
Confession in criminal proceeding; in what cases it may not be proved - - - - - - - - - „ ss.24to30(s.25 am.inU.B.,Act20, 1886,s.7;ss.26, 30,am.Act3, 1891,ss.3,4).
Admissions not conclusive proof, but may operate as estoppels - „ s.31.
Statements made by persons who cannot be called as witnesses; when they are relevant facts - - - - „ ss.32(am.Act18, 1872,s.2),33.
„ made under special circumstances; relevancy of:
Entries in book of account or public record - „ ss.34,35.
Statements in maps, charts or plans - - „ s.36.
„ of fact of public nature, contained in Acts or notifications - - „ s.37.
„ as to law, contained in law-book - „ s.38.
„ how much of a statement is to be proved - - „ s.39.
Judgments, orders and decrees of Courts of Justice:
When relevant facts and when conclusive proof - - „ ss.40to43(s.41, am.Act18,1872, s.3;s.43,am.Act 3,1891,s.5).

II.—INDIAN LAW—*cont.*

2. Relevancy of Facts—*cont.*

Judgments, orders and decrees of Courts of Justice—*cont.*:
Fraud or collusion in obtaining, or incompetency of Court, may be proved - - - - - - - - - Act 1, 1872, section 44.
Opinions of third persons, when relevant:
Experts - - - - - - - - - - „ ss.45(am.Act18, 1872,s.4),46.
Opinion as to handwriting - - - - - - „ s.47.
„ „ existence of right or custom - - - - „ s.48.
„ „ usages, tenets, etc. - - - - - - „ s.49.
„ „ relationship - - - - - - „ s.50.
Grounds of opinion, when relevant - - - - - „ s.51.
Character when relevant - - - - - - - „ ss.52to55(am. Act3,1891,ss. 6,7).

3. Proof.

Facts judicially noticeable need not be proved - - - - „ s.56.
Facts of which Court must take judicial notice - - - - „ s.57(am.Act18, 1872,s.5)· Act14,1882,section431.
Facts admitted need not be proved - - - - - - Act 1, 1872, section 58.
Oral evidence:
All facts, except contents of documents, may be proved by - - „ s.59.
Must be direct - - - - - - - - - „ s.60.
Documentary evidence:
Primary evidence - - - - - - - - „ ss.61,62,64.
Secondary evidence - - - - - - - - „ ss.61,63,65,66 (am.Act18, 1872,s.6).
Proof of execution of document - - - - - - „ ss.67to73.
Public documents:
Definition - - - - - - - - - „ s.74.
Certified copies of, to be given on demand - - - - „ s.76.
Proof of, by production of certified copy - - - - „ s.77.
„ in other cases - - - - - - „ s.78.
Presumption as to genuineness, etc., of documents - - - „ ss.79to90(s.86 am.Act3,1891, s.8).
Exclusion of oral by documentary evidence; saving of provisions of Indian Succession Act, 1865, as to construction of wills - - „ ss.91(amAct18, 1872,s.7),92to 100.
Burden of proof - - - - - - - - „ ss.101to111(s.108, am.Act18, 1872,s.8).
Birth during marriage conclusive proof of legitimacy - - - „ s.112.
Proof of cession of territory - - - - - - - „ s.113.
Court may presume existence of certain facts - - - - „ s.114.

EVIDENCE—*cont.*

II.—INDIAN LAW—*cont.*

4. Estoppel.

Estoppel, when it arises		Act 1, 1872, section 115.
„ admission may operate as		„ s.31.
„ of tenant		„ s.116.
„ of acceptor of bill of exchange		„ s.117.
„ of licensee		„ ss.116,117.
„ of bailee		„ s.117.

5. Witnesses.

Who may testify	„	ss.118,120.
Dumb persons how to give evidence	„	s.119.
Judge or Magistrate; examination of	„	s.121.
Restrictions on disclosure of—		
communication made during marriage	„	s.122.
affairs of State, etc.	„	ss.123,124.
professional communications	„	ss.126to129(ss. 126,128,am.Act 18,1872,s.10).
Magistrate, Police-officer and Revenue-officer not bound to disclose source of information as to commission of offence	„	s.125(am.Act 3,1887).
Production of certain documents cannot be compelled	„	ss.130,131.
Witness not excused from answering on ground that answer will criminate him	„	s.132.
Accomplice a competent witness	„	s.133.
No particular number of witnesses required for proof of any fact	„	s.134.
General provisions as to examination of	„	ss.135,137to140, 144to166(s. 155,am.Act18, 1872,s.11).
Leading questions	„	ss.141to143.

6. Miscellaneous Provisions.

Judge to decide as to admissibility of evidence	„	s.136.
When improper admission or rejection of evidence is no ground for a new trial	„	s.167.
Foreign tribunals; attendance and examination of witnesses in British India, in criminal matters, not political, pending before		Act21,1879,s.19.
Bankers' books:		
Act applies to books of—		
(1) banking companies		Act18,1891,sec.2(2)[am. Act1,1893],s.3.
(2) partnerships and individuals notified by Local Government, and		
(3) post office savings banks or money order offices		
Definitions	„	s.2(3)to(8).
Certified copies of entries in, to be admitted in evidence	„	s.4.
Officer of bank not compellable to produce books or to appear as witness; exceptions	„	ss.5,6(2),(3).
Inspection and taking of copies of, or production of certified copies of, entries in, by order of Court or Judge	„	s.6.
Costs in proceedings under Act	„	s.7.

EVIDENCE—*cont.*

II.—INDIAN LAW—*cont.*

6. Miscellaneous Provisions—*cont.*

Production, etc., of documents in suit. *See* CIVIL PROCEDURE, 2.
Evidence how taken in criminal trial. *See* CRIMINAL PROCEDURE (INDIAN), 8 (*7*).
Punishment for false evidence, etc. *See* CRIMINAL LAW (INDIAN), 9.
Obtaining evidence of prisoners. *See* PRISONER (INDIAN LAW), 2 (*6*), (*7*), (*10*).

EXCHANGE.

Definition of — Transfer of property in completion of, how to be made — Act 4, 1882, section 118.
Rights and liabilities of parties to — „ ss. 119 to 121.
See also TRANSFER OF PROPERTY, A.

EXCISE ACT, 1896 — Act 12, 1896.
„ „ (BENGAL) 1878 — Ben. Act 7, 1878.
„ „ AMENDMENT ACT (BENGAL), 1881 — Ben. Act 4, 1881.
„ (MALT LIQUORS) ACT, 1890 — Act 13, 1890.

EXCISE.

1803. Mad. Reg. 2, ss. 2, 32 (Collectors).
1863. Act 16 (Spirits used in arts and manufactures).
1866. Ben. Act 2, ss. 18 to 24 (Calcutta Suburban Police).
„ Ben. Act 4, ss. 35 to 41 (Calcutta Police).
1872. Reg. 3, s. 3 (Laws, Santhál Parganas).
1874. Act 15, s. 3 (Laws Local Extent).
„ Reg. 9, ss. 16, 17 (Arakan Hills).
1876. Reg. 3, ss. 31, 32 (Andamans).
1878. Act 8, ss. 26, 28, 138, 144 to 155, 163, 167 (Sea Customs).
„ [1]Ben. Act 7 (Excise, Bengal and Assam).
„ *Bom. Act 5 (Excise, Bombay).*
1883. Reg. 1, s. 18 (*10*) (Report of offences, Assam).
1884. Mad. Act 1, ss. 179 to 184 (Madras City Municipality).
1885. Act 9, s. 4 (Duty).
1886. Mad. Act 1 (Excise, Madras).
1887. N. & O. Act 1, s. 4 (General Clauses).
1889. Reg. 3, ss. 37 to 46 (Land and Revenue, Upper Burma).
1890. Act 13, ss. 6 to 9 (Malt Liquor).
1891. Mad. Act 1, ss. 12, 16 (General Clauses).
1894. Act 8, ss. 7, 10 (Tariff).
„ Reg. 1, s. 3 (Laws, Angul).
1896. Act 2, ss. 5 to 36 (Cotton Duties).
„ Act 12 (Excise, Northern India, etc.).
1897. Act 10, s. 12 (General Clauses).

1. Generally.
2. Cotton Goods.
3. Spirituous and Fermented Liquor and Intoxicating Drugs (other than Opium).
4. Other Articles.

1. Generally.

Duty may be taken *pro ratâ* — Act 10, 1897, s. 12. Mad. Act 1, 1891, ss. 12, 16. N. & O. Act 1, 1887, s. 4.
Duties to be collected by Collector — Mad. Reg. 2, 1803, ss. 2, 32.
Effect of alteration of duty on contract — Act 8, 1894 s. 10. Act 2, 1896, s. 35.
Exciseable goods not to be unladen from coasting ship without permission of Excise-officer — Act 8, 1878, s. 163.
Duty to be paid on re-importation of country goods on which drawback was allowed on exportation — „ s. 26.

[1] Ben. Act 7, 1878, and the amending Acts of the Bengal Council, 4, 1881, and 1, 1883, have been extended to Assam by notification under the Scheduled Districts Act, 1874.

EXCISE—*cont.*

1. Generally—*cont.*

Bond may be required before exportation of goods subject to duty - Act 8, 1878, s. 138.
Country provisions and stores for use on foreign-going ship may be shipped free of duty - - - - - - - „ s. 28

2. Cotton Goods.

Duty on cotton goods produced in mill; power to fix and alter tariff-values - - - - - - - - Act 2, 1896, sections 6, 7.
Assessment of duty; recovery of duty and penalty for non-payment - „ ss. 9 to 11, 15.
Exemption from duty and payment of drawback, in case of cotton goods exported by sea to foreign port - - - - „ ss. 18 to 21, 23, 24, 25(*10*), (*11*), 36.
Power to prohibit payment of drawback - - - - „ s. 22.
Returns of cotton goods produced at mill - - - - „ ss. 8, 15, 19, 25(*3*), (*4*), (*13*), 36.
Warehousing - - - - - - - - - „ ss. 12 to 15, 25(*16*).
Inspection of mills, and taking of copies of records and accounts; information so acquired to be deemed an "official secret" - - „ ss. 16, 17, 36.
Offences and penalties - - - - - - - „ s. 25.
„ by whom triable - - - - - - - „ s. 26.
Confiscation of goods when allowed; packages, conveyances, animals, etc., may also be confiscated - - - - - - „ ss. 25, 27.
Samples to be kept by mill-owner for inspection - - - „ ss. 28, 25(*6*).
„ may be taken by Collector - - - - - „ s. 29.
Records and books of account to be kept by mill-owner - - „ ss. 30, 25(*5*), (*7*), 36.
Returns of cotton yarn spun by machinery - - - - „ ss. 31, 25(*8*), 36.
Search, arrest and seizure; option to pay fine in lieu of confiscation; saving of liability to punishment under other law; appeals; detention of goods pending payment of fine, etc. - - - „ s. 32.
Local Government may reverse or modify decision or order - - „ s. 33.
Notice of, and limitation for, proceedings other than suit; amendment of documents; publication and sale of rules; cancellation of notifications; remission of duty and compensation to owner, when offender is an official - - - - - - - „ s. 34.

3. Spirituous and Fermented Liquor and Intoxicating Drugs (other than Opium).

(*a*) *Preliminary.*

Act 16, 1863 (Spirits used in arts and manufactures), declared in force—
throughout British India, except as regards the Scheduled Districts - - - - - - - - - Act 15, 1874, s. 3.
in the Santhál Parganas - - - - - Reg. 3, 1872, s. 3 (am. Reg. 3, 1886).
in Angul and the Khondmals - - - - - Reg. 1, 1894, s. 3.
Act 8, 1878, ss. 144 to 154, declared in force in Angul and the Khondmals - - - - - - - - Reg. 1, 1894, s. 3.
Act 9, 1885, ss. 3, 4, declared in force in the Santhál Parganas - Reg. 3, 1872, s. 3 (am. Reg. 3, 1886).
Act 13, 1890, declared in force in Angul and the Khondmals - Reg. 1, 1894, s. 3.
[1] Ben. Act 7, 1878, extends to whole of Bengal - - - Ben. Act 7, 1878, s. 2.

[1] Ben. Act 7, 1878, and the amending Acts of the Bengal Council, 4, 1881, and 1, 1883, have been extended to Assam by notification under the Scheduled Districts Act, 1874.

XCISE—*cont.*

3. Spirituous and Fermented Liquor and Intoxicating Drugs (other than Opium)—*cont.*

(a) *Preliminary*—cont.

Ben. Act 7, 1878, declared in force—

in the Santhál Parganas — Reg. 3, 1872, s. 3 (am. Reg. 3, 1886).

in Angul and the Khondmals — Reg. 1, 1894, s. 3.

Ben. Acts 4, 1881, and 1, 1883, declared in force in the Santhál Parganas — Reg. 3, 1872, s. 3, (am. Reg. 3, 1886).

(b) *Management.*

Excise-officers; appointment and general powers and duties of — [1] Act 12, 1896, ss. 33, 64. Ben. Act 7, 1878, ss. 31 to 34. Bom. Act 5, 1878, ss. 4 to 6, 8. Mad. Act 1, 1886, s. 45.

Control over manufacture of liquor and production or cultivation of drugs — Act 12, 1896, ss. 5, 9, 11, 12, 19. Ben. Act 7, 1878, ss. 5 to 8 9 (am. Ben. Act 4, 1881, s. 4); 10A (ins. Ben. Act 1, 1883, s. 3). Bom. Act 5, 1878, s. 14. Mad. Act 1, 1886, ss. 12, 16.

Establishment and regulation of public distilleries — Act 12, 1896, ss. 6, 10, 11. Ben. Act 7, 1878, ss. 9, 10. Bom. Act 5, 1878, s. 15. Mad. Act 1, 1886, s. 14.

Warehousing — Act 12, 1896, ss. 14 to 17, 19. Mad. Act 1, 1886, s. 14.

Duties — Act 9, 1885, s. 4. Act 13, 1890, s. 8. Act 12, 1896, ss. 7, 8, 13, 19, 31, 32. Ben. Act 7, 1878, s. 18 (am. Act 9, 1885, s. 3, Act 13, 1890, s. 6), s. 19 (am. Ben. Act 4, 1881, s. 6, Act 13, 1890, s. 7). Bom. Act 5, 1878, ss. 19, 20, 24 to 27. Mad. Act 1, 1886, ss. 17 to 19.

Recovery of dues — Act 12, 1896, s. 34. Ben. Act 7, 1878, ss. 25, 36. Bom. Act 5, 1878, ss. 21, 22, 29, 34. Mad. Act 1, 1886, s. 28. (U.B.) Reg. 3, 1889, ss. 37 to 46.

Supervision of cultivation, preparation and storing of intoxicating drugs, to secure duty — Ben. Act 7, 1878, s. 35.

[1] Act 12, 1896, applies to Ajmere, British Baluchistan (by notification), Burma, the Central Provinces, Coorg, the N.-W. Provinces, Oudh, and the Punjab.

EXCISE—*cont.*

3. Spirituous and Fermented Liquor and Intoxicating Drugs (other than Opium)—*cont.*

(*b*) *Management*—cont.

Control over sale - - - - - - - - Act12,1896,ss.21to
Ben.Act7,1878,ss.11(
mitedbyBen.Act1,1883
10),12,13,15(am.Be
Act1,1883,s.4),1
Bom.Act5,1878,ss.16to1
Mad.Act1,1886,ss.15,1

„ „ in Calcutta and suburbs; powers of Commissioner of Police as to grant of licenses - - Ben.Act4,1866,ss.36
3
Ben.Act2,1866,ss.19
2

„ „ in Calcutta and suburbs; fee for certificates and licenses granted by Commissioner of Police - Ben.Act4,1866,s.4
Ben.Act2,1866,s.2

Closing of shop for the sake of public peace - - - Bom.Act5,1878,s.4
Mad.Act1,1886,s.5

Registration and taxation of places used for retail sale of spirituous and intoxicating liquor, in Madras city - - - Mad.Act1,1884,ss.179
184,Sch.

Control over possession - - - - - - Act12,1896,ss.18to20,30
Ben.Act7,1878,ss.17,17
(ins.Ben.Act1,1883,s.5)
Bom.Act5,1878,s.47
Mad.Act1,1886,s.13

„ „ import or export - - - - - Act12,1896,ss.31,32
Ben.Act7,1878,s.19A(ins
Ben.Act1,1883,s.6)
Bom.Act5,1878,ss.9to11
Mad.Act1,1886,ss.6to8

„ „ transport - - - - - - Act12,1896,s.20
Bom.Act5,1878,ss.12,13
Mad.Act1,1886,ss 9to11

„ „ sale, possession, import, export, and transport of mhowra flowers in, into, or from the districts of Tana and Kolaba - - - - - - Bom.Act5,1878,s.18A
(ins.Bom.Act3,
1892,s.2)

Prohibition of unlicensed importation, manufacture, barter, sale or possession of liquor or intoxicating drugs into or in Andamans; penalty - - - - - - - - (And.)Reg.3,1876,ss.31,32

Seizure and confiscation of spirit and ganja in boat on river Kuladan not protected by pass; penalty on boatman - - - (Ara.)Reg.9,1874,ss.16,17.

Farming of fees, etc. - - - - - - Act12,1896,ss.25to28.
Ben.Act7,1878,ss.20to25.
Bom.Act5,1878,ss.23,28,
29.
Mad.Act1,1886,ss.20to23.

Supply of tari to licensed vendors - - - - - Act 12,1896,s.29.

„ „ and intoxicating drugs to licensed vendors - - Ben.Act7,1878,s.35.

Measuring and testing - - - - - - - Bom.Act5,1878,s.33.
Mad.Act1,1886,s.27.

Power to suspend Act as regards possession and sale of tari - - Ben.Act7,1878,s.14.

Medicated articles not subject to excise law; Local Government may prohibit sale except under license - - - - - Bom.Act5,1878,s.62.
Mad.Act1,1886,s.71.

ISE—*cont.*

3. **Spirituous and Fermented Liquor and Intoxicating Drugs (other than Opium)**—*cont.*

(*b*) *Management*—cont.

xemption of articles and persons from excise law under order of Local Government	Act12,1896,s.66. Ben.Act7,1878,s.82(am. Ben.Act4,1881,s.11).
unicipality; power to assign to, functiosn and powers of Government officers as to granting and withdrawing licenses for sale of	Pen.Act7,1878,s.84.
,, fixed sum to be paid annually to Municipal Corporation of City of Bombay from excise revenue	Bom.Act5,1878,s.63.
eneral power to make rules	Act12,1896,s.65. Bom.Act5,1878,s.35. Mad.Act1,1886,ss.29,69.

n cantonments. *See* CANTONMENT, 2.

(*c*) *Offences, Penalties and Procedure.*

Offences and penalties	Act12,1896,ss.45to56,59,61. Ben.Act2,1866,ss.18,21,23. Ben.Act4,1866,ss.35,38,40. (am.Ben.Act2,1876,s.12). Ben.Act7,1878,ss. 53(am. Ben.Act1,1883,s.10), 54to57,58(am.Ben. Act4,1881,s.7),59,60 (am.Ben.Act1,1883,s. 11),61(am.Ben.Acts4, 1881,s.8,and1,1883,s. 12,andAct5,1897),61A (ins.Ben.Act4,1881, s.9),62,63,65to74. Bom.Act5,1878,ss.7,43to 53(am.Bom.Act3, 1892,ss.3,4). Mad.Act1,1886,ss.55to64.
Report of offences to be made by rural policemen	(As.)Reg.1,1883,s.18(*10*).
Powers of entry, inspection, search, seizure and arrest	Act12,1896,ss.35to44. Ben.Act7,1878,ss.37to43, 46,47,50,51,75(am. Ben.Act4,1881,s.10). Bom.Act5,1878,ss.36to38, 40. Mad.Act1,1886,ss.30to36.
Persons arrested and articles seized, how to be dealt with	Act12,1896,ss.41,42. Ben.Act7,1878,ss.44,45,48 to50. Bom.Act5,1878,s.41. Mad.Act1,1886,ss.40to43, 50to52.

EXCISE—*cont.*

3. Spirituous and Fermented Liquor and Intoxicating Drugs (other than Opium)—*cont.*

(*c*) *Offences, Penalties and Procedure*—cont.

Confiscation of articles - - - - - - Act12,1896,ss.45,46,48 Ben.Act7,1878,ss.75(Pen.Act4,1881,s.10) Bom.Act5,1878,ss.54 58(s.54am.Bom.A 1892. Mad.Act1,1886,ss.65

Summoning and examination of witnesses by Excise-officers - - „ ss.44t

Compounding of offences - - - - - - - „ s.

Execution of sentences and recovery of fines - - - - „ s.

Imprisonment in civil jail only, in certain cases - - - Act12,1896,s.

Certain persons bound to report offences to Excise-officer, and to prevent offences - - - - - - - - Mad.Act1,1886,ss.38,

Police-officers; duties and powers of - - - - Act12,1896,ss.43, Ben.Act7,1878,ss.41to 45, Bom.Act5,1878,ss.39to Mad.Act1,1886,ss.31to 37,53,

Officers of other Departments bound to assist Excise-officers - - Act12,1896,s. Ben.Act7,1878,s. Bom.Act5,1878,s.2 Mad.Act1,1886,s.

Rewards to officers and informers - - - - - - Act12,1896,s.6 Ben.Act7,1878,ss.77to7 Bom.Act5,1878,s.5

Prosecutions in certain cases, to be instituted only on official information - - - - - - - - - Act12,1896,s.5 Ben.Act7,1878,s.7

„ limitation of - - - - - - - Act12,1896,s.5 Ben.Act7,1878,s.7 Bom.Act5,1878,s.6 Mad.Act1,1886,s.

Actions against Government or Excise-officer—

when barred; limitation - - - - - - - Bom.Act5,1878,s. Mad.Act1,1886,s.

costs - - - - - - - - - - „ s.7

Appeals from orders - - - - - - - - Act12,1896,s.6 Ben.Act7,1878,s.8 Bom.Act5,1878,s.6

In cantonment. *See* CANTONMENT, 2.

(*d*) *Miscellaneous.*

Spirit on which excise duty has been paid; differential customs-duty payable on imports coastwise of - - - - - - Act8,1894,s.

„ duty on importation of country spirit from one customs-port to another - - - - - - - - - Act8,1878,ss.148,151(a Act2,1887,s. 3,4

ISE—*cont.*

3. Spirituous and Fermented Liquor and Intoxicating Drugs (other than Opium)—*cont.*

(*d*) *Miscellaneous*—cont.

pirit: exportation of country spirit under bond for duty	Act81878,ss.144to146(am. Act9,1885,s.5; Act2,1887,ss.1, 2).
„ duty recoverable on deficiency of country spirit removed for exportation under bond	„ s.147.
„ „ to be paid on removal for local consumption of country spirit intended for exportation	„ 149(am.Act9, 1885,s.5)
„ re-landing of spirit shipped for exportation	„ ss.154,167(*60*)
„ duty; rum-shrub, cordial and other such liquor how charged with, under Sea Customs Act	„ s.152.
„ to be used exclusively in arts or manufactures or in chemistry—	
rate of duty	Act16,1863,s.1(am.Act8, 1894,s.6).
levy of duty	Act16,1863,ss.1,2.
provisions for ascertaining that such spirit is unfit, and for preventing its being rendered fit, for human consumption	Act16,1863,ss.1to7,9. Act8,1878,s.155.
„ and fermented liquor: drawback on exportation to foreign port of—	
country spirit	Act8,1878,s.150.
„ fermented liquor	Act13,1890,s.9.
„ conditions precedent to allowing drawback or remitting duty on spirit shipped for exportation	Act8,1878,s.153.

Excise in Upper Burma Hills. *See* CHIN HILLS, 5.

4. Other Articles.

See OPIUM; SALT; TOBACCO.

EXECUTOR.

Definitions of. *See* WORDS AND PHRASES.

Status, rights, etc., of. *See* ADMINISTRATION.

EX-KING THEBAW'S ACT, 1895 Act20,1895.

EXPATRIATION. *See* BRITISH SUBJECT, 2 (*b*).

EXPLOSIVES ACT (INDIAN), 1884 Act4,1884.

EXPLOSIVE.

1. Generally.

Act 4, 1884, extends to whole of British India	Act4,1884,sec.1.
„ „ not to affect possession, etc., by or for Government or by volunteer	„ s.14.
„ „ „ „ Arms Act, 1878	„ s.15.
Definitions	„ s.4.
Power to extend definition of "explosive" to other substances	„ s.17.
Power of Government to make rules for licensing manufacture, possession, use, sale, transport and importation of	„ s.5.

EXPLOSIVE—*cont.*

1. Generally—*cont.*

Specially dangerous:
Power to prohibit or regulate manufacture, possession or importation of; penalty - - - - - - - Act 4, 1884, s. 6 (*l*),
Powers of Sea Customs Officers with respect to - - - ,, s. 6
Power to make rules as to inspection, search, seizure, etc., of - - ,,
Accidents; notice of, and enquiry into - - - - - ,, ss. 8
Forfeiture of, on conviction - - - - - - - ,, s.
Arrest without warrant for dangerous offence - - - ,, s.
Distress of vessel for recovery of fine - - - - ,, s.
Abetment of offence and attempts; punishment of - - - ,, s.
Prosecutions under other laws not barred, but only one punishment allowed - - - - - - - - - ,, s.
Procedure for making, etc., rules - - - - - ,, s.
Control over storing of, in municipalities:
Aj., L. B., C. P. *See* MUNICIPALITY, II, 6 (*o*).
As. ,, ,, IV, 6 (*l*); V, 6 (*n*).
Ben. Districts. ,, ,, V, 6 (*n*).
Bom. ,, ,, ,, VII, 6 (*o*).
,, City. ,, ,, VIII, 6 (*n*).
Mad. Districts. ,, ,, XII, 6 (*q*).
,, City. ,, ,, XIII, 6 (*o*).
Punjab. ,, ,, XIV, 6 (*o*).
Carriage of, on railway - - - - - - - Act 9, 1890, ss. 59 (a m. A 9, 1896, s. 3), 1
,, ,, on tramway. *See* TRAMWAY, 4 (*a*), 5; TRAMWAYS, A, 4 (*a*), 5.
,, ,, by sea. *See* MERCHANT SHIPPING, 7 (*b*).
Regulation of dealings with, in Andamans. *See* ANDAMAN AND NICOBAR ISLANDS, 5.
Punishment for negligent conduct with respect to - - - - Act 45, 1860, s. 28

2. Gunpowder.

Power to apply Mad. Act 1, 1880, to municipal towns - - Mad. Act 1, 1880, s
Act not to affect Government powder - - - - ,, s.
Municipal Commissioners to provide and maintain magazine for deposit and storage of - - - - - - - ,, s.
Persons possessing more than 50lbs. of, to deposit surplus in such magazine - - - - - - - - - ,, s.
Persons possessing 50lbs. or less of, how to keep same - - ,, s.
Powder exposed for sale in public place to be properly secured and labelled - - - - - - - - - ,, s.
Power to make rules as to packing of, for transport - - - ,, s.
Penalties - - - - - - - - - ,, s.
Penalty for manufacture or unlicensed possession of - - - (Cal.) Ben. Act 4, 1866 s. 57
(Cal. Sub.) Ben. Act 1866, s. 3
(Bo. Town) Act 13, 185 s. 7
(Howrah) Act 21, 185 s. 1

LOSIVE—*cont.*

2. Gunpowder—*cont.*

censing by police of sale, possession and transport of; search; penalties - - - - - - - - - - (Cal.)Ben.Act4,1866, ss.58to60. (Cal.Sub.)Ben.Act2, 1866,ss.35to37. (Bo.Town)Bom.Act13, 1856,ss.71to73. (Howrah)Act21,1857, s.19.

Ben. Act 4, 1866, ss. 57 to 60, Ben. Act 2, 1866, ss. 34 to 37, and Act 13, 1856, ss. 70 to 73, not to apply to Government powder or buildings - - - - - - - - - (Cal.)Ben.Act4,1866, s.61. (Cal.Sub.)Ben.Act2, 1866,s.38. (Bo.Town)Act13,1856, s.74.

licensing of gunpowder and firework manufactories in municipalities:

Mad. Districts. *See* MUNICIPALITY, XII, 6 (*q*).
„ City. „ „ XIII, 6 (*o*).

See also ARMS, AMMUNITION AND MILITARY STORES; CHIN HILLS, 5.

EXTORTION. *See* CRIMINAL LAW (INDIAN), 15.

EXTRADITION ACT, 1870 - - - - - - - 33-4V.c.52.
„ „ 1873 - - - - - - - 36-7V.c.60.
„ „ 1895 - - - - - - - 58-9V.c.33.
„ (INDIA) ACT, 1895 - - - - - Act9,1895.

EXTRADITION OF CRIMINALS.

1870. 33-4 V. c. 52[1] (Extradition).
1872. Reg. 3, s. 3 (Laws, Sânthâl Parganas).
1873. 36-7 V. c. 60[1] (Extradition).
„ 36-7 V. c. 88, s.27 (Slave Trade).
1879. Act 21 (Extradition).
1886. Act 20, s. 6 (Laws, Upper Burma).
1890. Reg. 1, s. 3 (Laws, British Baluchistan).
1894. Reg. 1, s. 3 (Laws, Angul District).
1895. 58-9 V. c. 33[1] (Extradition).
„ Act 9 (Powers of Magistrates).

1. English Law.

(a) Jurisdiction.

Application of Acts by Order in Council where arrangement made with foreign State - - - - - - - - 33-4V.c.52,ss.2,4,5,21.
Extradition crimes; enumeration of - - - - - „ s.26,Sch.I. 36-7V.c.60,s.8,Sch.
„ „ offences as to slave trade to be - - - 36-7V.c.88,s.27.
Liability of fugitive criminals of foreign State to which Acts apply, accused or convicted of extradition crimes, to apprehension and surrender in British dominions - - - - - 33-4V.c.52,s.6. 36-7V.c.60,s.6.
Liability of accessories, aiders and abettors to apprehension, etc. - „ s.3.
Criminal not to be surrendered for political offence, and restrictions as to surrender - - - - - - - - 33-4V.c.52,s.3.
Criminal surrendered by foreign State not liable for other offence than that on which surrender grounded - - - - „ s.19.

[1] Collective title ("Extradition Acts, 1870 to 1895") given by 58 & 59 Vict. c. 33, s. 2.

EXTRADITION OF CRIMINALS—*cont.*

1. English Law—*cont.*

(b) Procedure.

Requisition to Secretary of State for surrender; order to police magistrate to issue warrant for apprehension - - - - 33-4V.c.52,s. 36-7V.c.60,s.
Refusal of order, and discharge of criminal, if offence political - 33-4V.c.52,section
Issue and execution of warrant; magistrate, place of hearing and custody - - - - - - - - - - „ ss.8,13,2 Sch.I 58-9V.c.3
Examination of criminal; committal or discharge; right to apply for *habeas corpus*, if committed - - - - - - 33-4V.c.52,ss.9to1
What depositions, etc., receivable in evidence; authentication of foreign warrants, etc. - - - - - - - „ ss.14,15 36-7V.c.60,s.4
Surrender of criminal, and conveyance to foreign State - - 33-4V.c.52,ss.11,12

(c) Miscellaneous.

"Foreign State" to include dependencies and vessels thereof - „ s.2
Provisions where surrender sought in respect of crime committed at sea - - - - - - - - - - „ s.1 36-7V.c.60,s.
Provisions as to surrender of fugitive criminals of foreign States in British Possessions (*see also below*, 2) - - - - - 33-4V.c.52,ss.17,1 36-7V.c.60,s.
Saving of power as to extradition treaties with native Indian States or Asiatic States bordering on India - - - - - 33-4V.c.52,s.2
Apprehension of deserters from foreign ships. *See* MERCHANT SHIPPING, 2 (*g*).
Arrest, etc., of fugitive offenders. *See* FUGITIVE OFFENDER.
Power to Foreign State to obtain evidence in British dominions as to criminal matters, if not political. *See* EVIDENCE, I, 1.
Trial and execution of sentence in British dominions in case of offences in places out of British dominions where Crown has jurisdiction. *See* FOREIGN JURISDICTION.

2. Indian Law.

Extent of Act 21, 1879 - - - - - - - Act21,1879,s.
Act 21, 1879, declared in force in—
the Santhál Parganas - - - - - - - Reg.3,1872,s.3(am.Reg. 1886
Upper Burma generally (except the Shan States) - - Act20,1886,s.
British Baluchistan - - - - - - Reg.1,1890,s.
Angul and the Khondmals - - - - - Reg.1,1894,s.
Definition of "Political Agent" - - - - - - Act21,1879,s.3(am.Act 1896,s.1
Arrest and removal of persons, other than European British subjects, escaping into British India:
List of extradition offences - - - - - - „ s.11(am.Ac
Issue of warrant by Political Agent - - - - 5,1896,s.2 Sch.I
Direction and execution of warrant - - - - - „ s.12(am.Ac 5,1896,s.3
Release of prisoner on security being furnished; re-arrest - „ ss.12A,121 12C(ins.Act 1896,s.4

EXTRADITION OF CRIMINALS—*cont.*

2. Indian Law—*cont.*

Arrest and removal of persons, other than European British subjects, escaping into British India—*cont.*:

Disposal of case by Political Agent or by ordinary Courts of the State or by Military Court — Act 21, 1879, s. 13 (am. Act 5, 1896, s. 5).

Procedure on receipt of requisition from the Executive of any part of Her Majesty's dominions or of Foreign Power for extradition — „ s. 14.

Power of Magistrate in British India to issue warrant for arrest of person accused of having committed an offence out of British India; report of proceedings; detention or discharge of accused; bail — „ ss. 15 to 17.

Detention of persons arrested under Code of Criminal Procedure (Act 10, 1882), s. 54 (7) — „ s. 17A (ad. Act 5, 1896, s. 6).

Power to make rules — „ s. 18.

Powers of Police Magistrates and Justices of the Peace under Imperial Acts of 1870 and 1873 conferred on Presidency and District Magistrates — Act 9, 1895.

Trial of British subjects in British India for offences committed out of British India. *See* FOREIGN JURISDICTION, 2.

FACTORIES ACT (INDIAN), 1881 — Act 15, 1881.

„ „ „ 1891 — Act 11, 1891.

FACTORY.

Definition of "factory," "child," "mill-gearing" and "employed" — Act 15, 1881, sec. 2 (am. Act 11, 1891, ss. 3 to 5).

Power to extend definition of "factory" — „ s. 20 (ad. Act 11, 1891, s. 18).

Crown factories subject to Act — „ s. 19.

Power to exempt factory from Act in case of public emergency — „ s. 19 (pt. rep. Act 11, 1891, s. 17).

Inspectors of; appointment, status, suspension and dismissal of — „ s. 3 (am. Act 11, 1891, s. 6).

„ general powers of — „ s. 4 (am. Act 11, 1891, ss. 5, 7, 9).

Certifying surgeons; appointment of, and grant of certificates of age by — „ s. 5 (am. Act 11, 1891, ss. 5, 8, 9).

Operatives:

Daily stoppage of work for half an hour — „ s. 5A

Sundays and holidays — „ s. 5B

Women: limitation of hours of work for; notice of intervals of rest to be set up — „ ss. 6, 10

„ prohibition of employment of, in two factories on same day — „ s. 11

Children under 9 not to be employed — „ s. 7 (1)

„ limitation of hours of work for; notice of intervals of rest to be set up — „ s. 7 (2) to (4), 10

„ prohibition of employment of,—

in certain dangerous work — „ s. 8

in two factories on same day — „ s. 11

„ register of — „ s. 9

(am. Act 11, 1891, s. 10).

FACTORY—*cont.*

Fencing of fly-wheels, etc. - - - - - - Act15,1881,s.12(pt.rep 11,1891,s

Notice of accidents in - - - - - - „ s.13(am.A 1891,s

„ when beginning to occupy - - - - - „ s.14(am.A 1891,s

Power of Local Government to make rules as to - - - „ s.18(am.A 1891,s.

Burden of proof as to age - - - - - - „ s.16(am.Ac 1891,ss.

Penalties - - - - - - - - - „ s.15(am.Ac 1891,s.

Occupier of, primarily liable for breaches of Act, orders or rules - „ s.17(am.Act 1891,s.

Stamping of length on piece goods manufactured in - - Act4,1889,s

FAIR.

Not to be established without written permission of District Magistrate; penalty - - - - - - - - Bom.Act4,1862,s.1(a Bom.Act 188

Application for such permission; procedure to be followed by Magistrate before granting it - - - - - - „ ss.2,

Order by Magistrate granting or refusing such permission; appeal from order; penalty for breach of order - - - - „ ss.4,6,7(an Bom.Act 1886)

Act not to extend to islands of Bombay and Kolaba - - - „ s.8

„ „ apply to religious assemblies - - - - „ s.9

„ „ restrict Government's powers of control - - - „ s.10(am.Bom Act3,1886).

To be under authority of Local Self Government Boards:

Ajmere. *See* LOCAL SELF GOVERNMENT, II, 3.
Bengal. „ „ „ „ III, 3.
N.-W. P. & Oudh. „ „ „ „ VII, 3.
Punjab. „ „ „ „ VIII, 3.

Holding of, in municipality:

Aj., L. B. *See* MUNICIPALITY, II, 6 (*t*).
Bom. Districts. „ „ VII, 6 (*s*).
Punjab. „ „ XIV, 6 (*t*).

Power to make rules as to. *See* AJMERE, 4; CENTRAL PROVINCES, 3; OUDH, 6.

See also INFECTIOUS DISEASE.

FAIRWAYS.

Obstructions to navigation in fairways leading to ports in British India:

Power of Local Government to remove or destroy sunken vessel or other obstruction; Government entitled to recover expenses; notice of removal; sale of thing removed, for recovery of expenses - - - - - - - Act16,1881,ss.2to6

Power of Governor General in Council to make rules to regulate or prohibit placing of fishing stakes, throwing of ballast, etc.; penalty for breach of rules; place of trial - - - „ ss 8,9

Compensation when payable for damage caused under Act - „ s.10

The word "vessel" to include tackle, cargo, etc. - - „ s.7

Act not to apply to vessels belonging to or hired by Government „ s.1

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Obstructions to navigation in fairways leading to ports in British India—*cont.*:
Validation of past official action - - - - Act 16, 1881, s. 11.
Saving of other powers possessed by Government - - „ s. 12.
INE RELIEF.
Management of, by Local Self Government Boards:
Ajmere. *See* LOCAL SELF GOVERNMENT, II, 3.
Bengal. „ „ „ „ III, 3.
Bombay. „ „ „ „ IV, 3.
C. P. „ „ „ „ V, 3.
Mad. „ „ „ „ VI, 3.
N.-W. P. & Oudh. „ „ „ „ VII, 3.
Punjab. „ „ „ „ VIII, 3.
Municipal Funds applicable to:
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Bom. Districts. „ „ VII, 6 (*e*).
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Application of local rates to:
Assam. *See* LOCAL RATES AND CESSES, A.
Central Provinces. „ „ „ „ „ B.
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Power of Local Authority to borrow for. *See* LOAN, B, 2 (*b*).
Power of Government to lend money to agriculturists for. *See* LOAN, B, 3 (*b*).
ARCY. *See* ANIMAL, A.
EES, JUDICIAL. *See* COURT-FEES; PROCESS-FEES.
ENCING SCHOOL. *See* PLACES OF PUBLIC RESORT, ETC.
ERMENTED LIQUOR. *See* EXCISE, 3.
ERRIES ACT (BENGAL), 1885 - - - - - Ben. Act 1, 1885.
„ „ (BOMBAY), 1868 - - - - - Bom. Act 2, 1868.
„ „ (BURMA), 1873 - - - - - Act 2, 1873.
„ „ (NORTHERN INDIA), 1878 - - - - Act 17, 1878.
„ „ AMENDMENT ACT (NORTHERN INDIA), 1886[1] - Act 3, 1886.
ERRY.
1868. Bom. Act 2 (Ferries).
1873. Act 2 (Ferries, Burma).
1878. Act 17 (Ferries; Ajmere, Assam, Central Provinces, Coorg, N.-W. Provinces, Oudh and Punjab).
1883. Act 1, s. 23 (Local Self Government, Central Provinces).
1884. Bom. Act 1, s. 44 (Local Boards).
1885. Ben. Act 1 (Ferries).
1886. Act 20, s. 6 (Laws, Upper Burma).
1889. Reg. 3, ss. 37 to 46 (Land and Revenue, Upper Burma).
1890. Mad. Act 2, ss. 3, 8 to 20 (Canals and Ferries).
RAILWAYS - - - - - - - .....
I.—AJMERE, ASSAM, CENTRAL PROVINCES, COORG, N.-W. PROVINCES, OUDH AND PUNJAB - - - 1. Preliminary. 2. Establishment, etc., and working. 3. Supplemental.
II.—BENGAL - - - - - -
III.—BOMBAY PRESIDENCY - - 1. Establishment, etc., and working. 2. Supplemental.
IV.—BURMA - - - - - - 1. Preliminary. 2. Establishment, etc., and working.
V.—MADRAS PRESIDENCY - - - 3. Supplemental.

[1] This short title was given by Act 5, 1897, s. 4.

FERRY—*cont.*

RAILWAYS.

Maintenance of ferries by Railway Company. *See* RAILWAY, 6 (*a*).

I.—AJMERE, ASSAM, CENTRAL PROVINCES, COORG [1], N.-W. PROVINCES, OUDH AND PUNJAB.

1. Preliminary.

Definition of "ferry" - - - - - - - - Act17,1878,sectio

2. Establishment, etc., and working.

Public ferries:

Power of Government to declare, establish, define limits of, change course of, and discontinue; compensation when private ferry taken up - - - - - - - - „ ss.4,

Tolls to be levied, except on persons and things employed or transmitted on public service; power of Local Government to exempt persons and things from payment; abatement of rent payable by lessee when exemption made - - - „ s.15(am.A 3,1886,s

Superintendence of - - - - - - - „ s.6[am.(C. Act1,1883,s.4 (N.-W.P.andO Act14,1883, 65,(P.)Act2(1883,s.79]

To be under authority of Local Self Government Boards:

Central Provinces. *See* LOCAL SELF GOVERNMENT, V, 3.
N.-W. P. & Oudh. „ „ „ „ VII, 3.
Punjab. „ „ „ „ VIII, 3.

Transfer of, to Municipal Commissioners, Assam. *See* MUNICIPALITY, IV, 4; V, 4.

Transfer of management of, with proceeds, to—

Municipal Commissioners - - - - - Act17,1878,s.7

District Council or Local Board - - - - (C.P.)Act17,1878,s.7A(ins Act1,1883,s.43).

District Board - - - - - - (N.-W.P.andO.)Act17, 1878,s.7A(ins.Act14, 1883,s.64).

District Board or Local Board - - - - (P.)Act17,1878,s.7A(ins. Act20,1883,s.78).

Leasing of tolls - - - - - - - Act17,1878,secs.8,12(am. Act3,1886,s.1).

Recovery of arrears from lessee - - - - - „ s.9.

Cancellation and surrender of lease; compensation when payable - „ ss.10,11,24.

Power to take possession of ferry-boats, etc., on surrender or cancellation of lease; compensation - - - - „ s.32.

Power to make rules as to management, etc.; penalties for breach of rules - - - - - - - „ s.12(am.Act3,1886, s.1),ss.21,23,24.

Persons using approaches or landing-places to pay the toll - „ s.14.

Compounding for tolls - - - - - - - „ ss.12(*c*),18.

Table and list of tolls; penalties - - - - - „ ss.15,16,21.

[1] Act 17, 1878 (except ss. 2, 7A and 17 and part of s. 1) has been extended to Coorg by notification under the Scheduled Districts Act, 1874.

RY—*cont.*

I.—AJMERE, ASSAM, CENTRAL PROVINCES, COORG, N.-W. PROVINCES, OUDH AND PUNJAB—*cont.*

2. Establishment, etc., and working—*cont.*

Private ferries:	
Power to declare them to be public ferries; compensation	Act17,1878,sections4(*b*),5.
Not to ply within two miles of public ferry without sanction; exceptions; penalty	„ ss.13,26(am.Act 3,1886,s.2).
Power of Commissioner to make rules for maintenance of order and for safety of passengers and property; penalty for breach of rule	„ 9,23.
Tolls not to exceed highest rates fixed for similar public ferries; penalty	„ ss.20,22.
Power of District Magistrate to take possession of ferry-boats, etc., in case of emergency; compensation	„ s.33.
Offences and penalties	„ ss.21to26(am.Act 3,1886,s.2),s.28.

3. Supplemental.

Application of tolls, rents, compensation and fines	(Aj.,As.)Act17,1878,s.17. (C.P.)Act17,1878,s.17(am. Act1,1883,s.44; Act 12,1891). (C.P.)Act1,1883,s.23(*1*)(*e*). (N.-W.P &O.)Act17,1878, s.17(am.Act14, 1883,s.65). (P.)Act17,1878,s.17(am. Act20,1883,s.79; Act12,1891).
Certain fines payable to lessee of tolls	Act17,1878,s.27.
Arrest without warrant	„ s.29.
Summary trial of offences	„ s.30.
Payment of damages by offender	„ s.31.
Bar to jurisdiction of Civil Courts in questions of compensation or abatement of rent	„ s.34.
Delegation of Local Government's powers	„ s.35.

II.—BENGAL.

1. Preliminary.

Definitions	Pen.Act1,1885,s.5.

2. Establishment, etc., and working.

Public ferries:	
Power of Local Government to declare, establish, define limits of, change course of, and discontinue; compensation when private ferry taken up, etc.	„ ss.6,17.
Tolls to be levied, except on persons and things employed or transmitted on public service; power of Local Government to exempt persons and things from payment; abatement of rent payable by lessee when exemption made	„ s.18.

FERRY—*cont.*

II.—BENGAL—*cont.*

2. Establishment, etc., and working—*cont.*

Public ferries—*cont.* :
- Control and superintendence of — Ben.Act1,1885,ss.7
- Transfer of management of, with proceeds, to District Board; powers of Board — „ s.
- Transfer of, to Municipal Commissioners. *See* MUNICIPALITY, V, 4.
- Establishment and maintenance of subsidiary ferries; compensation — „ ss.11,
- Leasing of tolls — „ ss.9,10,
- Recovery of arrears from lessee — „ s.1
- Cancellation and surrender of lease; compensation when payable — „ ss.13,14,2
- Power to take possession of ferry-boats, etc., on cancellation or surrender of lease; compensation — „ s.
- Power to make rules as to management, etc.; penalty for breach of rules — „ ss.15,2
- Compounding for tolls — „ ss.15(*c*),2
- Table and list of tolls; penalty — „ ss.19,2

Private ferries :
- Definition — „ s.
- Power to declare them to be public ferries; compensation — „ ss.6,17
- Not to ply within two miles of public ferry without sanction; exceptions; penalty — „ ss.16,28
- Power of Commissioner to make rules for maintenance of order and for safety of passengers and property; penalty for breach of rule — „ s.22,25

Power of District Magistrate to take possession of ferry-boats, etc., in case of emergency; compensation — „ s.34

Offences and penalties — „ ss.23to28,30

3. Supplemental.

Application of tolls, rents and compensation received by Government, and fines — „ s.20.

Certain fines payable to lessee of tolls — „ s.29.

Arrest without warrant — „ s.31.

Payment of damages by offender — „ s.32.

Delegation of Local Government's powers — „ s.36

III.—BOMBAY PRESIDENCY.

1. Establishment, etc., and working.

Public ferries :
- Power of Local Government to declare, establish and discontinue — Bom.Act2,1868,section2.
- Tolls to be levied, except on soldiers, police-officers and persons in custody of police; power of Local Government to exempt persons from payment — „ s.3(am.Bom. Act2,1878,s.1).
- Appointment and salaries of toll-keepers, ferrymen, etc. — „ s.4
- Leasing of ferries; recovery of arrears from lessee; duties of servants of lessee, etc. — „ ss.5,6
- Table of tolls; penalty — „ s.8

RY—*cont.*

III.—BOMBAY PRESIDENCY—*cont.*

1. Establishment, etc., and working—*cont.*

ublic ferries—*cont.*:

Power to make rules as to management, etc.; penalty for breach of rules - - - - - - - - Bom.Act2,1868,section12.

Offences and penalties - - - - - - - „ ss.8to14,14A (ins.Bom.Act 2,1878,s.2).

2. Supplemental.

Tolls and rents of public ferries, and fines, to form ferry-fund; application thereof - - - - - - - Bom.Act2,1868,s.16(rep., except in Aden and Bo· City,Bom.Act1,1884,s.2).

Nett proceeds of public ferries, and fines, to be credited to Local Fund constituted by Bombay Local Boards Act, 1884 - - Bom.Act1,1884,s.44(*c*).

Trial of offences by Magistrates; recovery of fines - - Bom.Act2,1868,s.15(am. Act10,1872,Sch.V;Act 10,1882,s.3).

Payment of damages by offender - - - - - Bom.Act2,1868,s.12.

Delegation of Local Government's powers - - - - „ s.17.

IV.—BURMA.

1. Preliminary.

Act 2, 1873, applies *proprio vigore* to Lower Burma only - - Act2,1873,s.1.

„ „ declared in force in Upper Burma (except the Shan States) - - - - - - - [Act20,1886,s.6,Sch.II, Pt.I.

2. Establishment, etc., and working.

Public ferries:

Power of Local Government to declare, establish, change course of and discontinue - - - - - - - Act 2, 1873, section 2.

Tolls to be levied; power of Local Government to exempt persons and things from payment; abatement of rent payable by lessee when exemption made - - - - - „ s.3.

Superintendence of - - - - - - - „ s.3.

Transfer of management of, with proceeds, to Municipal Commissioners - - - - - - - - „ s.4.

Leasing of tolls - - - - - - - - „ ss.5,6.

Cancellation of lease for breach of rules - - - - „ s.13.

Power to make rules as to management, etc.; penalty for breach of rules - - - - - - - - - „ ss.6,13.

Table and list of tolls; penalty - - - - - „ ss.9to11.

Private ferries:

Not to ply within limits of public ferry without sanction; exceptions - - - - - - - - - „ s.7.

Offences and penalties - - - - - - - ss.11to15.

3. Supplemental.

Tolls and rents to be credited to District Fund - - „ s.10.

Certain fines payable to lessee of tolls - - „ s.15.

FERRY—*cont.*

IV.—BURMA—*cont.*

3. Supplemental—*cont.*

Trial of offences - - - - - - - } Act 2, 1873, s
Payment of damages by offender - - - - - } Act 2, 1873, s
Recovery of revenue payable on account of ferries - - - (U.B.) Reg. 3, 1889, ss. 37 t

V.—MADRAS PRESIDENCY.

1. Preliminary.

Definition of "vessel," "ferry" and "public ferry" - - Mad. Act 2, 1890,

2. Establishment, etc., and working.

Power to declare ferry to be subject to Act; cessation of pre-existing rights; compensation - - - - - - } „ ss.
Management of public ferries; licensing ferry-boats; imposition of fees for licenses and tolls for use of ferry - - - - } „ s
Transfer of management of public ferry, with revenue therefrom, to Local Board or Municipal Council; powers of Board or Council } „ s
Collection or leasing of fees or tolls - - - - - „ s
Recovery of dues - - - - - - - „ ss. 13,
Form and conditions of licenses - - - - - „ s.
Rules: power to make; penalty for breach of - - - „ ss. 16,
Penalty for establishing or working ferry contrary to Act - - „ .
„ „ evasion of, or unauthorised collection of, toll or fee - „ s. 1

3. Supplemental.

Confiscation of vessel, etc., on conviction of offence - - - „ s. 2

FILTH.

Removal of. *See cross-references from* DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.

FINANCE ACT, 1894. (*See* DEATH DUTIES) - - - - 57-8 V. c. 3

FINANCE.

1857-8. 21-2 V. c. 106, ss. 2, 41 to 43, 45, 47 to 49, 51 to 53, 55 (Control of Secretary of State, etc.).
1859. 22 V. c. 11[1] (Loan).
„ 22-3 V. c. 39[1] (Loan).
„ 22-3 V. c. 41, s. 3 (Bank of England).
1860. 23-4 V. c. 5[1] (Loan).
„ 23-4 V. c. 102[1] (Stock).
„ 23-4 V. c. 130[1] (Loan).
1861. 24-5 V. c. 3, s. 10 (Stock).
„ 24-5 V. c. 25[1] (Loan).
1862. 25-6 V. c. 7[1] (Stock).
1863. 26-7 V. c. 73[1] (Stock).
1869. 32-3 V. c. 106[1] (Loan).
1871. 34-5 V. c. 29[1] (Stock).
1873. 36-7 V. c. 17[1] (Stock).
1873. 36-7 V. c. 32[1] (Loan).
1874. 37-8 V. c. 3[1] (Loan).
1877. 40-1 V. c. 51[1] (Loan).
1879. 42-3 V. c. 43 (Stock).
„ 42-3 V. c. 60[1] (Loan).
1880. 43 V. c. 10 (Loan).
„ 43 V. c. 11[1] (Stock).
1881. 44-5 V. c. 53 (Stock).
1884-5. 48-9 V. c. 25[1] (Unclaimed Stock, etc.).
„ 48-9 V. c. 28[1] (Loan).
1887. 50-1 V. c. 11 (Stock Conversion).
1888. 51-2 V. c. 5 (Railways).
1890. 53-4 V. c. 6 (South Indian Railway).
1893. 56-7 V. c. 53, s. 1 (*Stock*).
„ 56-7 V. c. 70[1] (Loan).

[1] Collective title ("East India Loans Acts——") given by 59 & 60 Vict. c. 14.

ANCE — *cont.*	
ontrol by Secretary of State in Council, and application of Indian revenues	21-2V.c.106,ss.21,41to43, 45,47to49, 51to53.
ccount of Secretary of State in Council at Bank of England; management and transfer of stock at Banks of England and Ireland; certificates of title, etc.	„ ss.43,45,47,48. 22-3V.c.41,s.3. 23-4V.c.102. 24-5V.c.3,s.10. 25-6V.c.7. 26-7V.c.73. 36-7V.c.17. 43V.c.11.
Audit of accounts of expenditure, etc., in Great Britain, and appointment, salaries, etc., of auditor and assistants	21-2V.c.106,s.52. 44-5V.c.63.
ccounts to be laid annually before Parliament, and half-yearly returns as to loans	21-2V.c.106,s.53. 37-8V.c.3,s.15. 42-3V.c.60,s.15.
Borrowing by Secretary of State in Council on security of Indian revenues; composition for stamp duty; forgery of bonds and debentures, and provisions as to loans	22V.c.11. 22-3V.c.39. 23-4V.c.5. 23-4V.c.130. 24-5V.c.25. 32-3V.c.106. 36-7V.c.32. 37-8V.c.3. 40-1V.c.51. 42-3V.c.60. 43V.c.10. 48-9V.c.28. 56-7V.c.70.
„ for purchase of Oudh, etc., railway, and construction of other railways	51-2V.c.5.
„ „ „ South Indian railway	53-4V.c.6.
Power to trustees to invest in East India stock	50-1V.c.11,s.3. 51-2V.c.5,s.18. 53-4V.c.6,s.17. 56-7V.c.53,s.1.
Transfers of Indian Government loans exempt from stamp duty	23-4V.c.5,s.2.
Sending dividend warrants by post	34-5V.c.29. 43V.c.10,s.16. 43V.c.11,s.4.
Management of security fund, and redemption of East India stock dividends	36-7V.c.17,sections16to18.
Transfer to Secretary of State of unclaimed redemption money and dividends for 10 years from 1874	„ ss.24,25,27to34,37.
„ „ „ of unclaimed redemption moneys, stock, and dividends generally	48-9V.c.25,ss.2to16.
Creation of stock for purchase of annuity created under East Indian Railway Company Purchase Act, 1879, or for redemption of other liabilities, and creation of sinking fund for reduction of debt	42-3V.c.43. 44-5V.c.53. 48-9V.c.25,s.25.[1]

[1] *See also* 55 & 56 Vict. c. 10, s. 29.

FINANCE—*cont.*

Half-yearly returns as to sinking fund under East Indian Railway Company Purchase Act, 1879 - - - - - - 42-3V.c.4

Loan for paying off debentures of East Indian Railway Company - 43V

Repayment to Secretary of State of unclaimed East Indian Railway annuities, and of unclaimed sums paid for discharge of guaranteed railway debentures - - - - - - - 48-9V.c.25,ss.17

Transfers to or by Secretary of State exempt from stamp duty - ,,

Conversion of India 4 per cent. stock into 3½ per cent. stock - - 50-1V

Restriction on applying Indian revenues for operations beyond frontier - - - - - - - - - 21-2V.c.106,

See also FUNDS; GOVERNMENT OF INDIA, 1, 2 (*d*); TAXES.

FINANCIAL COMMISSIONER, BURMA.

Power to appoint and remove - - - - - Act18,1888

Subordination of, to Local Government; his functions - - ,,

To be "Chief Revenue-authority" and Chief "Controlling Revenue-authority" - - - - - - - - ,,

Delegation to, of certain functions of Local Government - - ,,

Upper Burma. *See* LAND-REVENUE, X, 1, 4.

FINDER.

Responsibility and rights of. (*See also* TREASURE TROVE) - - Act9,1872,ss.71,168,1

FINE.

Heir in tail not to be barred by - - - - - - 13E.1(*Stat. West sec.*),c.1.

FINES.

To be reasonable and not excessive - - - - - 1W.&M.sess.2,c.2,s.1.[1]

Grants of, before conviction, illegal and void - - -

See also CRIMINAL LAW (INDIAN), 2.

General provisions for recovery of. *See* CRIMINAL PROCEDURE (INDIAN), 9 (*3*).

FINE ARTS COPYRIGHT ACT, 1862.[2] (*See* COPYRIGHT) - - 25-6V.c.6

FIRE.

I.—BENGAL ACT 1, 1893.

1. Preliminary.

Ben. Act 1, 1893, applies to Calcutta and suburbs and to Howrah, and may be extended to other municipalities in the neighbourhood by notification - - - - - - - - Ben.Act1,1893,section

Definitions - - - - - - - - - ,, s.

2. Warehouses for storing, pressing or keeping jute, cotton or other inflammable substances.

What buildings or places subject to Act "as warehouses" - - ,, s.3(8

Power of Local Government to apply Act to other buildings and places - - - - - - - - - ,, s.4(

Act not to apply to buildings or places containing small quantities of jute, cotton, etc. - - - - - - ,, s.4(

Not to be used unless licensed by Municipal Commissioners - - ,, s.

[1] These Acts are indexed because they are published in the Collection of *Statutes relating to India*.
[2] This short title was given by 59 & 60 Vict. c. 14.

FIRE—*cont.*

I.—BENGAL ACT 1, 1893—*cont.*

2. Warehouses for storing, pressing or keeping jute, cotton or other inflammable substances—*cont.*

Provisions as to grant, refusal, conditions and duration of license and annual fee payable therefor	Ben. Act 1, 1893	ss. 5 to 10A, 24 (ss. 5, 8, am. Ben. Act 1, 1894, ss. 2, 3; s. 10A ins. *ib*, s. 4).
Form of license	„	s. 44, Sch. (am. Ben. Act 1, 1894, s. 6).
Report and fee on charge in occupation of warehouse; penalty	„	ss. 11, 17.
Suspension and cancellation of license	„	ss. 12, 13.
Penalties for breach of provisions of Act as to licenses	„	ss. 14 to 16, 18.
Penalty for preparing or drying inflammable substance on roof of warehouse	„	s. 19.
„ „ residing in jute or cotton warehouse	„	s. 20
„ „ using matches or artificial light in jute or cotton warehouse without proper protection	„	s. 21.
„ „ smoking in jute or cotton warehouse	„	s. 22.
Annual report by Municipal Commissioners as to working of Act	„	s. 41.

3. Fire-brigade.

Commissioner of Police to maintain	„	s. 30.
Power of Local Government to make orders as to maintenance, etc., of	„	s. 31.
Powers exercisable by officer in charge of, and by police, on occasion of fire; indemnity	„	ss. 32 to 34.
Officer in charge of, to enquire into cause of fire and report to Magistrate; copies of reports and evidence to be furnished to applicants	„	s. 35.
Annual report by Commissioner of Police to Local Government as to	„	s. 41.
Funds:		
Annual estimate of receipts and expenditure on account of brigade	„	s. 26.
Power of Municipal Commissioners to levy rates for maintenance of brigade	„	s. 25.
Such rates to form part of the consolidated rate imposed under the Calcutta Municipal Act	„	s. 28.
Recovery of such rates		
Payments to be made to Commissioner of Police by Municipal Commissioners to meet cost of brigade	„	s. 23.
Proportionate liability of the several Municipalities for cost of brigade	„	s. 29.
License-fees, rates and fines to be appropriated to maintenance of brigade	„	ss. 24, 36 (2).

FIRE—*cont.*

I.—BENGAL ACT I, 1893—*cont.*

4. Miscellaneous.

Penalty for sending up fire-rockets or fire-balloons or selling fire-works without license; grant, suspension and withdrawal of such licenses, and fee therefor — Ben. Act 1, 1893, ss. 36 to 38.

Arrest for offence under s. 36; disposal of arrested person — „ ss. 42, 43

Penalty on householder when rockets or fire-balloons sent up without written permission — „ s. 39.

II.—OTHER ENACTMENTS.

Prevention and extinction of fire in municipalities:

Aj., L. B., C. P.	*See* MUNICIPALITY,	II, 6 (*o*), (*t*).	
U. B.	„	„	III, 6.
As.	„	„	IV, 6 (*b*), (*l*), (*o*); V, 6 (*b*), (*n*), (*q*).
Ben. Districts.	„	„	V, 6 (*b*), (*n*), (*q*).
Cal.	„	„	VI, 6 (*o*), (*p*).
Bom. Districts.	„	„	VII, 6 (*o*).
„ City.	„	„	VIII, 6 (*b*), (*n*).
Mad. Districts.	„	„	XII, 6 (*q*).
„ City.	„	„	XIII, 6 (*o*).
Punjab.	„	„	XIV, 6 (*o*).

Powers of police on occurrence of fire — (Mad. City) Mad. Act 3, 1888, ss. 61, 62.

Punishment for negligent conduct with respect to fire or combustible substance — Act 45, 1860, s. 285.

Protection of inland steam-vessels from danger by fire — Act 6, 1884, ss. 47 to 50.

Power of Port officials to require crews to prevent or extinguish fire in port; fire-extinguishing apparatus to be provided; penalty — Act 10, 1889, ss. 16, 28, 32.

See also FOREST, 1, 2, 3.

FISHERIES ACT (INDIAN), 1897 — Act 4, 1897.

„ „ (BURMA), 1875 — Act 17, 1875.

FISHERY.

1874. Reg. 9, s. 3 (Laws, Arakan Hills).
1875. Act 7 (Fisheries, Lower Burma).
1879. Mad. Act 2 (Fishing, Nilgiris District).
1886. Reg. 1, ss. 16, 155 (Land and Revenue, Assam).
1889. Ben. Act 2 (Private Fisheries; Assam, Bengal).
„ Reg. 3, ss. 32, 37 to 46, 53 (Land and Revenue, Upper Burma).
1897. Act 4 (Fisheries).

1. British India generally, except Burma.
2. Assam and Bengal.
3. Lower Burma.
4. Upper Burma.
5. Nilgiris District, Madras Presidency.
6. Central Provinces.

1. British India generally, except Burma.

Act 4, 1897, to be read as supplemental to other enactments relating to fisheries — *Act 4, 1897, s. 2.*

Definition of "fish," "fixed engine" and "private water" — „ s. 3.

Penalty for destruction of fish by explosive in inland water or on coast — „ s. 4.

„ „ „ by poisoning of water — „ s. 5 (*1*).

Power of Local Government to suspend operation of s. 5 (*1*) in local area — „ s. 5 (*2*).

FISHERY—*cont.*

1. British India generally, except Burma—*cont.*

Power of Local Government to make rules to prohibit or regulate fixed engines or weirs, to regulate nets, or to prohibit fishing in specified water for 2 years; power to apply such rules to other than private waters, or, with consent, to private waters - - Act 4, 1897, s. 6.

Arrest without warrant for offence under Act; detention of person arrested - - - - - - - - - „ s. 7.

2. Assam and Bengal.

Assam:

Power to declare water to be a fishery and make rules for grant of licenses, etc., to fish; bar to rights in fisheries, with savings - - Reg. 1, 1886, ss. 16, 155 (*f*), (*g*).

Assam[1] and Bengal:

Private fisheries:

Definition of "fish," "fixed engine" and "private waters" - Ben. Act 2, 1889, s. 2.

Penalties for fishing, or erecting fixed engine, etc., without authority in private waters; exception as to angling with rod and line in navigable river - - - - - „ s. 3.

Removal of fixed engine and forfeiture of engine and of fish wrongfully taken - - - - - - „ s. 4.

Penalty for wrongful entry - - - - - „ s. 5.

Offences under Act cognizable by police - - - - „ s. 6.

3. Lower Burma.

Act, 1875, extends to Lower Burma - - - - - Act 7, 1875, s. 1.

„ „ declared in force in Arakan Hill District - - - Reg. 9, 1874, s. 3 (am. Act 11, 1889, s. 102).

Definition of "fish," "fishery," "to fish" and "fixed engine" - Act 7, 1875, section 2.

Exclusive right of fishing in "fishery" belongs by custom to Government - - - - - - - - - „ preamble.

Right to fish acquirable only under Act; saving as to angling with rod and line, and saving of prior grants by British Government - „ s. 3.

Disposal of right of fishing, by lease, etc. - - - - - „ s. 4

Recovery of fees, etc., payable on account of fishery - - - - „ s. 5.

Weir or other obstruction, or fixed engine, not to be placed in fishery or connected waters without permission; removal of obstruction or engine - - - - - - - - - - „ ss. 6, 7.

Power to make rules as to fisheries - - - - - - „ ss. 8 to 10.

Penalties - - - - - - - - - - - „ s. 7.

4. Upper Burma.

Definition of "fishery," "to fish" and "fixed engine" - - - Reg. 3, 1889, section 32 (*1*).

All fisheries belong to Government; right to fish acquirable only under Reg. 3, 1889, s. 32 - - - - - - - „ s. 32 (*2*).

Grant of leases or licenses - - - - - - - „ s. 32 (*3*).

Permission to angle with rod and line - - - - - „ s. 32 (5).

Power to remove fishery from operation of Regulation - - „ s. 32 (*6*).

„ make rules as to fisheries - - - - - - „ s. 32 (*7*).

Penalties for fishing without right - - - - - - „ s. 32 (*8*).

[1] Ben. Act 2, 1889, has been extended to Assam by notification under the Scheduled Districts Act, 1874.

FISHERY—*cont.*

4. Upper Burma—*cont.*

Recovery of revenue payable on account of fishery - - - Reg. 3, 1889, ss.37to46.
Bar to jurisdiction of Civil Courts - - - - - „ s.53(x),(xi).

5. Nilgiris District, Madras Presidency.

Power to take special measures for protection of other than indigenous fish - - - - - - - Mad.Act2,1879,s.4.
„ make rules for regulation and control of fishing - - „ s.5.
Penalty for breach of orders under s. 4 or s. 5; arrest; procedure; rewards to informers - - - - - - „ ss.6to9.

6. Central Provinces.

Right of Government to fisheries - - - - - Act18,1881,s.151(pt.rep. Act16,1889,s.36).

FISHING.

Power to prohibit - - - - - - - - (Mad.City)Mad.Act1, 1884,s.330.

Regulation of fishing stakes in lines of navigation. *See* FAIRWAYS.
Control over, in forests. *See* FOREST, 6.
See also FISHERY.

FISHING VESSELS, BOMBAY. *See* MERCHANT SHIPPING, 4.

FOOD AND DRINK.

Punishment of offences relating to - - - - - Act45,1860,ss. 272,273;
Destruction of articles on conviction - - - - - Act10,1882,s.521.
Control over sale of, in municipalities:

Aj., L. B., C. P.	*See* MUNICIPALITY,	II, 6 (*k*), (*l*).
As.	„ „	IV, 6 (*i*); V, 6 (*j*).
Ben. Districts.	„ „	V, 6 (*j*).
Cal.	„ „	VI, 6 (*l*).
Bom. Districts.	„ „	VII, 6 (*k*), (*q*).
„ City.	„ „	VIII, 6 (*j*), (*m*).
Mad. Districts.	„ „	XII, 6 (*k*).
„ City.	„ „	XIII, 6 (*g*), (*j*).
Punjab.	„ „	XIV, 6 (*k*).

FOREIGN ENLISTMENT ACT, 1870 - - - - - 33-4V.c.90.

FOREIGN ENLISTMENT.

Penalty on (without license of Her Majesty) engaging in or enlisting others in military or naval service of foreign State at war with friendly State; and on conveying persons so engaging or enlisted, etc. - - - - 33-4V.c.90,ss.4to7.
„ building, equipping, etc., vessels for service of foreign State at war with friendly State - - - „ ss.8to10.
„ fitting out expeditions against friendly State - - „ s.11.
Punishment of accessories; term of imprisonment - - - „ ss.12,13.
Seizure and restoration of illegal prize, by order of Court of Admiralty - - - - - - - - „ s.14.
Procedure and venue in case of offences; seizure and forfeiture of offending ships, etc.; jurisdiction of Courts of Admiralty; appeal - „ ss.16to24, 27,30.
Power of Secretary of State or local authority to detain and search suspected ship - - - - - - - - „ ss.23to26,29.
Savings for commissioned foreign ships and military service in Asia - „ s.33.

FOREIGN IMMIGRANTS REGULATION (BENGAL), 1812.[1] (*See* FOREIGNER, 1) - - - - - - - - - Ben.Reg.11,1812.

FOREIGN JUDGMENT.

When no bar to suit in British India - - - - - Act14,1882,s.14(am.Act7, 1888,s.5).

FOREIGN JURISDICTION ACT, 1890 - - - - - - 53-4V.c.37.

FOREIGN JURISDICTION AND EXTRADITION ACT, 1879 - - - Act21,1879.

FOREIGN JURISDICTION.

1872. Reg. 3, s. 3 (Laws, Santhál Parganas).
1874. 37-8 V. c. 27 (Colonial Courts).
1879. Act 21 (Foreign Jurisdiction).
1881. 44-5 V. c. 69, s. 23 (Fugitive Offenders).
1882. Act 10, ss. 188 to 190 (Criminal Procedure).
1886. Act 20, s. 6 (Laws, Upper Burma).
1890. 53-4 V.c. 27, ss. 12,18, Sch. 2 (Colonial Courts of Admiralty).
„ 53-4 V. c. 37 (Consolidation).
„ Reg. 1, s. 3 (Laws, British Baluchistan).
1892. 55-6 V. c. 6, ss. 2, 3, 6 (Probate).
1894. Reg. 1, s. 3 (Laws, Angul District).

1. English Law.

Right of Her Majesty to exercise jurisdiction acquired in country out of her dominions by treaty, etc., as if acquired by cession or conquest of territory - - - - - - - 53-4V.c.37,s.1.

Power, by Order in Council, to apply Colonial Courts of Admiralty Act, 1890, to Courts established under Foreign Jurisdiction Acts - 53-4V.c.27,ss.12,18,Sch.2.

Validity of acts done in pursuance of jurisdiction - - - 53-4V.c.37,s.3.

Obtaining evidence of existence of power from Secretary of State - „ s.4.

Jurisdiction to extend to British subjects resident in or resorting to places not subject to regular governments - - - „ s.2.

Power to send person charged with offence for trial to a British possession; provisions as to evidence for defence, etc. - - „ s.6.

Place of punishment of persons convicted - - - - - „ s.7.

Power, by Order in Council, to assign to any Court in British Possessions out of United Kingdom any jurisdiction which might be conferred on any Court in any place out of British dominions where Her Majesty has power - - - - - - „ s.9.

Punishment by Colonial Court for offence out of jurisdiction, tried under Imperial Act - - - - - - - 37-8V.c.27. 44-5V.c.69,s.23.

Validity of orders of Courts, etc., exercising jurisdiction in or in relation to any place out of British dominions for removal of persons from such place - - - - - - - 53-4 V. c. 37,section8.

Provision as to subjects of Princes and States in India - - „ s.15.

Power, by Order in Council, to extend certain enactments to places to which Act of 1890 applies - - - - - - „ s.5,Sch.1.

Power, by Order in Council, to revoke or vary certain enactments - „ s.17,Sch.2.

Validity of Order in Council; laying before Parliament, etc. - „ ss.10to13.

Sealing in United Kingdom of probates and letters of administration granted by British Court out of Her Majesty's dominions - 55-6V.c.6,ss.2,3,6.

Trial of offences at sea by Indian Courts. *See* SEA.

„ certain offences against Slave Trade Acts by Indian Courts. *See* SLAVE TRADE.

[1] This short title was given by Act 5, 1897, s. 4.

FOREIGN JURISDICTION—*cont.*

2. Indian Law.

Extent of Act 21, 1879 - - - - - - Act21,1879,section1.
Act 21, 1879, declared in force in—
the Santhál Parganas - - - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
Upper Burma generally (except the Shan States) - - Act20,1886,s.6.
British Baluchistan - - - - - - Reg.1,1890,s.3.
Angul and the Khondmals - - - - Reg.1,1894,s.3.
Definition of "Political Agent" - - - - - Act21,1879,s.3(am.Act 5,1896,s.1). Act10,1882,s.190.
Definition of "European British subject" - - - - Act21,1879,section3.
Power of Governor General in Council to exercise power and jurisdiction beyond British India and to delegate same; notification of such exercise or delegation - - - - - „ ss.4,5.
Appointment, powers and jurisdiction of Justices of the Peace out of British India - - - - - - - „ s.6[am.Act 12,1891,s. 2(2),(3)].
Application of criminal law (offences and procedure) of British India to British subjects out of British India - - - „ s.8.
Trial of British subjects in British India for offences committed out of British India - - - - - - - Act10,1882,ss.188to190. Act21,1879,s.14.
Power to make rules - - - - - - Act21,1879,s.18.

FOREIGN LAW ASCERTAINMENT ACT, 1861[1] - - - 24-5V.c.11.

FOREIGN LAW.
Ascertainment of, and answering case sent by foreign Court - 24-5V.c.11.
Power, by Order in Council, to extend 24-5 V. c. 11 to place to which Foreign Jurisdiction Act, 1890, applies - - - 53-4V.c.37,s.5,Sch.I.

FOREIGN MARRIAGE ACT, 1892. (*See* MARRIAGE, 1) - - - 55-6V.c.23.

FOREIGN PROTESTANTS' NATURALIZATION ACT, 1708.[1] (*See* BRITISH SUBJECT) - - - - - - - - 7A-c.5.

FOREIGN RECRUITING ACT, 1874 - - - - - Act4,1874.

FOREIGN RECRUITING.
Act 4, 1874, extends to whole of British India - - - Act4,1874,s.1.
„ „ declared in force in—
the Arakan Hill District - - - - Reg.9,1874,s.3.
Upper Burma generally (except the Shan States) - Act20,1886,s.6.
British Baluchistan - - - - Reg.1,1890,s.3.
Definition of "foreign State" - - - - - Act4,1874,section2.
Power of Governor General in Council to prohibit or regulate recruiting for service in foreign State - - - - „ ss.3to5.
Penalty for - - - - - - - - „ s.6.
Place of trial for - - - - - - - - „ s.7.

FOREIGN RULER.
Procedure in suit by or against. *See* CIVIL PROCEDURE, 4.

FOREIGN SOVEREIGNS.
Judicial powers of agents of. *See* CIVIL COURTS, VI, B.

[1] This short title was given by 59 & 60 Vict. c. 14.

FOREIGN STATE defined. *See* WORDS AND PHRASES.
FOREIGN TRIBUNALS EVIDENCE ACT, 1856.[1] (*See* EVIDENCE, I) - 19-20V.c.113.
FOREIGNER.

1. Under the Bengal Immigrants Regulation, 1812.

Ben. Reg. 11, 1812; short title given to - - - - - Act5,1897,s.4.
" " " declared in force[2]—
throughout Bengal and the North-Western Provinces, except as regards the Scheduled Districts - - - - Act15,1874,ss.6,7.
in the Santhál Parganas - - - Reg.3,1872,s.3(am.Reg.3, 1886).
in the Arakan Hill District (with modifications) - - - - - Reg.9,1874,s.3.
in the Central Provinces - - - Act20,1875,s.3.
in Ajmere - - - - - Reg.3,1877,s.3.
in British Baluchistan - - - Reg.1,1890,s.3.
in Angul and the Khondmals - - Reg.1,1894,s.3.
Power of Local Government to order removal of foreigners or their descendants when attempting to excite disturbances in their own State or when their residence in vicinity of frontier of such State is likely to cause misunderstanding between such State and British Government - - - - - - Ben.Reg.11,1812,s.2(am. Act5,1897,s.2; am.,Ara.,Reg. 9,1874,s.3).
Power of Local Government to keep such persons under restraint - " s.4(am.Act5, 1897,s.2).
Right of persons so removed to dispose of their property - - " s.3(am.Act5, 1897,s.2).
Punishment of foreigners or their descendants for causing disaffection in foreign State; punishment of abettors - - - " s.5(am.Act5, 1897,s.2;am. Ara.,Reg.9, 1874,s.3).

2. Under Act III of 1864.

Act 3, 1864, declared in force—
throughout British India, except as regards the Scheduled Districts - - - - - - - - Act15,1874,s.3.
in the Santhál Parganas - - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
in the Arakan Hill District - - - - - Reg.9,1874,s.3.
in Upper Burma generally (except the Shan States) - - Act20,1886,s.6.
in British Baluchistan - - - - - - Reg.1,1890,s.3.
in Angul and the Khondmals - - - - - Reg.1,1894,s.3.
Definition of "foreigner," etc. - - - - - Act3,1864,section1.
Onus of proof to lie on person asserting that he is not a foreigner - " s.2.
General power for removal of foreigners:
Power of Government of India or Local Government to order foreigner to remove from British India; detention of person disobeying order or returning without license - - " ss.3,4,17.
Powers for dealing with foreigners on emergency:
Power of Governor General in Council to declare s. 5 and subsequent sections of Act to be in force in British India or specified part thereof, for specified period - - " s.5.

[1] This short title was given by 59 & 60 Vict. c. 14.
[2] Ben. Reg. 11, 1812, has also been declared in force in Assam (except the North Lushai Hills), by Notification under the Scheduled Districts Act, 1874.

FOREIGNER—*cont.*

2. Under Act III of 1864—*cont.*

Powers for dealing with foreigners on emergency—*cont.*:
S. 5 and subsequent sections not to apply to foreign minister, consul, person under 14 or person in Her Majesty's service — Act 3, 1864, section 5.
Power to exempt persons from sections subsequent to s. 5 — „ s.25.
Foreigners, other than masters of ships, to report arrival; procedure in case of disobedience — „ ss.6to9,14,15.
Restrictions on foreigners travelling in British India without license; procedure in case of disobedience to orders — „ ss.10to15, 18,19.
Detention of foreigner returning after removal — „ s.4.
Boarding of ship to search for foreigner; master to furnish information; power to detain foreigner — „ s.20.
Miscellaneous Provisions:
Bail to be taken — „ s.16.
Penalties — „ ss.21to23.
Recovery of fines — „ s.24(am.Act 12,1891).

See also ALIEN; VAGRANT.

FOREST ACT (INDIAN), 1878 — Act7,1878.
„ „ 1890 — Act5,1890.
„ „ (BURMA), 1881 — Act19,1881.
„ „ (MADRAS), 1882 — Mad.Act5,1882.
„ REGULATION (AJMERE), 1874 — Reg.6,1874.
„ „ (ASSAM), 1891 — Reg.7,1891.
„ „ (BRITISH BALUCHISTAN), 1890 — Reg.5,1890.
„ „ (UPPER BURMA), 1887 — Reg.6,1887.
„ „ „ „ 1890 — Reg.8,1890.
„ „ (HAZARA), 1893 — Reg.6,1893.

FOREST.

1874. Reg. 6 (Forests, Ajmere).
1876. Act 2, ss. 40, 43 to 53 (Land and Revenue, Lower Burma).
„ Reg. 3, ss. 10 to 12, 32 (Andamans).
1878. [1]Act 7 (Forests, Northern India, etc.).
1879. Bom. Act 5, ss. 38, 40, 44 (Land-revenue).
1880. Bom. Act 1, ss. 41, 42 (Khoti Settlements).
1881. Act 19 (Forests, Lower Burma).
1882. Mad. Act 5 (Forests, Madras).
1883. Act 9, s. 35A (Landlord and Tenant, Central Provinces).
„ Reg. 1, s. 18 (*10*) (Report of offences Assam).
1887. [2]Reg. 6 (Forests, Upper Burma).
1890. Reg. 5 (Forests, British Baluchistan).
1891. Reg. 7 (Forests, Assam).
1892. Reg. 1 (Private Forests, Ajmere).
1893. Reg. 6 (Forests, Hazara).

1. Reserved Forests.
2. Village Forests.
3. Protected Forests.
4. Private Forests.
5. Duty.
6. Produce.
7. Offences, Penalties and Procedure.
8. Miscellaneous.

Definitions of "forest." *See* WORDS AND PHRASES.

[1] Act 7, 1878, applies to Bengal, the Bombay Presidency, the Central Provinces, Coorg (by notification under its first section), the North-Western Provinces, Oudh and the Punjab (except the district of Hazara). The Act has been declared in force in the Santhál Parganas by Reg. 3, 1872, s. 3 (am. Reg. 3, 1886), and in Angul and the Khondmals by Reg. 1, 1894, s. 3.

[2] Reg. 6, 1887, applies to the whole of Upper Burma except the Shan States (see s. 1). It has been declared in force in the Kachin Hill-tracts (as regards hill-tribes) by Reg. 1, 1895, s. 3, and in certain tracts in the Chin Hill by Reg. 5, 1896, s. 3.

FOREST—*cont.*

1. Reserved Forests.

Power to constitute; procedure - - - - - Act7,1878,ss.3,4,6to20(am. Act5,1890,ss.3,5,6),34. (As.)Reg.7,1891,ss.4to6, 8to19. (L.B.)Act19,1881,ss.5to7, 9to20. (U.B.)Reg.6,1887,ss.3to5, 7to18. Mad.Act5,1882,ss.3,4,6to 16.

Private rights in; determination, saving and record of - - Act7,1878,ss.4,6to8,9A (ins.Act5,1890,s.6), 10 to 13,34. (As.)Reg.7,1891,ss.5,6,8to 12. (L.B.)Act19,1881,ss.6,7,9 to13. (U.B.)Reg.6,1887,ss.4,5, 7to11. Mad.Act5,1882,ss.4,6to11.

" " bar to accrual or acquisition of - - Act7,1878,ss.5(am.Act5, 1890,s.4),22,25(*a*). (As.)Reg.7,1891,ss.7,21. (L.B.)Act19,1881,ss.8,22. (U.B.)Reg.6,1887,ss.6,20. Mad.Act5,1882,ss.5,18.

" " " alienation of - - - - Act7,1878,s.23. (As.)Reg.7,1891,ss.22,27. (L.B.)Act19,1881,ss.23,28. (U.B.)Reg.6,1887,ss.21,26. Mad.Act5,1882,s.19.

" " acquisition of, by Government - - - Act7,1878,s.10. (As.)Reg.7,1891,s.11. (L.B.)Act19,1881,s.12. (U.B.)Reg.6,1887,s.10. Mad.Act5,1882,s.10.

" " exercise of admitted rights to be ensured, or rights to be commuted - - - - - Act7,1878,ss.14,15. (As.)Reg.7,1891,ss.13,14. (L.B.)Act19,1881,ss.14,15. (U.B.)Reg.6,1887,ss.12, 13. Mad.Act5,1882,ss.12,13.

" " treatment of claims relating to practice of shifting cultivation - - - - Act7,1878,s.9A(ins.Act5, 1890,s.6). (As.)Reg.7,1891,s.10. (L.B.)Act19,1881,s.11. (U.B.)Reg.6,1887,s.9.

" " rights of pasture or to forest produce; orders as to Act7,1878,ss.11to17. (As.)Reg.7,1891,ss.12to16. (L.B.)Act19,1881,ss.13to 17.

FOREST—*cont.*

1. Reserved Forests—*cont.*

Private rights in ; rights of pasture or to forest produce ; orders as to (*cont*). — (U.B.)Reg.6,1887,ss.11to 15. Mad.Act5,1882,ss.11to15.

„ „ right of way or right to watercourse or to use of water ; order as to - - - - — (As.)Reg.7,1891,s.12. (L.B.)Act19,1881,s.13. (U.B.)Reg.6,1887,s.11. Mad.Act5,1882,s.11.

„ „ extinction of unclaimed rights - - - — Act7,1878,s.9. (As.)Reg.7,1891,s.18. (L.B.)Act19,1881,s.19. (U.B.)Reg.6,1887,s.17. Mad.Act5,1882,s.17.

„ „ appeal against order relating to - - - — Act7,1878,ss.16,17. (As.)Reg. 7,1891,ss.15,16. (L.B.)Act19,1881,ss.16, 17. (U.B.)Reg.6,1887,ss.14, 15. Mad.Act5,1882,ss.10,14, 15.

„ „ „ „ „ „ constitution and powers of Forest Court - - — Mad.Act5,1882,ss.37to40.

„ „ revision within five years of arrangements made with reference to - - - - — Act7,1878,s.21. (As)Reg.7,1891,s.20. (L.B.)Act19,1881,s.21. (U.B.)Reg.6,1887,s.19.

„ „ power to extinguish or suspend, as penalty for offence - - - - - — (As.)Reg.7,1891,s.27. (L.B.)Act19,1881,s.28. (U.B.)Reg.6,1887,s.26. Mad.Act5,1882,s.22.

Ways and watercourses in ; power to stop - - - - — Act7,1878,s.24. (As.)Reg.7,1891,s.23. (L.B.)Act19,1881,s.24. (U.B.)Reg.6,1887,s.22. Mad.Act5,1882,s.20.

Acts prohibited in ; penalties - - - - - — Act7,1878,s.25(am.Act5, 1890,s.7;rep.in pt. locally,Act6, 1879,s.2). (As.)Reg.7,1891,ss.24,25, 26. (L.B.)Act19,1881,ss.25,26 (am.Act5,1890,s.16),27. (U.B.)Reg.6,1887,ss.23to 25. Mad.Act5,1882,s.21.

Prevention of fire in - - - - - - - — Act7,1878,ss.25(*b*)(am. Act5,1890,s.7),(*c*),78. (As.)Reg.7,1891,ss.25,26, 68(*e*),74.

FOREST—*cont.*

1. Reserved Forests—*cont.*

Prevention of fire in (*cont.*) - - - - - - (L.B.)Act19,1881,ss.26. (am.Act5,1890 s.16), 27,70(*e*),76. (U.B.)Reg.6,1887,ss.24, 25,68(*e*),74. Mad.Act5,1882,ss.21,23.

Application of Act to forests reserved under former rules or orders - (L.B.)Act19,1881,s.30. Mad.Act5,1882,s.25.

Power to declare forest no longer reserved - - - - Act7,1878,s.26. (As.)Reg.7,1891,s.28. (L.B.)Act19,1881,s.29. (U.B.)Reg.6,1887,s.27. Mad.Act5,1882,s.24.

„ of Survey Officers to set apart Government lands for forest reserves - - - - - - - Bom.Act5,1879,s.38(repealed locally, Bom.Act6, 1888).

„ to constitute, *in Khot villages*; reservation of private rights; application of Indian Forest Act, 1878; Khot entitled to share of profits - - - - - - Bom.Act1,1880,ss.41,42.

Provisions of Central Provinces Tenancy Act, 1883, as to tenant-right, not applicable to land in reserved forest - - - - (C.P.)Act9,1883,s.35A(ins. Act17,1889,s.8).

State Forests *in Ajmere*:

Power to take up waste or hilly land in village for purposes of a State forest - - - - - - - Reg.6,1874,s.3,Sch.A.

Proprietary right in land taken up to vest in Crown - - „ s.4.

Right of villagers to cut grass and wood and to use ways; control over exercise of such rights; appeal - - - - „ ss.4,5.

Nett profits of management to be paid to former owners; forfeiture of part of profits for misconduct - - - - „ ss.6,7.

Fine not to be levied for cattle trespass unless land fenced or demarcated - - - - - - - „ s.8.

Power to make rules for management and protection of State forest; penalty for breach - - - - - „ s.9.

Relinquishment of land taken up for State forest - - „ ss.10,11, Sch.B.

Recovery of fines - - - - - - - „ s.13.

Power to apply Reg. 6, 1874, to private forests - - - Reg.1,1892.

State Forests in British Baluchistan:

Power to constitute; procedure - - - - - Reg.5,1890,section3.

Demarcation of - - - - - - - „ s.4.

Bar of acquisition of private rights - - - - „ s.5.

Power to close roads and pathways - - - - „ s.6.

Acts prohibited in; penalties - - - - - „ ss.7to9.

Prevention of fire in - - - - - - „ ss.8,9,35,40.

Power to declare forest no longer a State forest - - - „ s.10.

Reserved Forests in the Hazara district of the Punjab:

Management of, vested in Forest officers - - - Reg.6,1893,section3.

Forests Government property, subject to certain rights - - Restriction on alienation, or acquisition of private rights in - „ s.4.

Demarcation of - - - - - - - „ s.5.

Act prohibited in; penalties - - - - - „ ss.6to8.

FOREST—*cont.*

1. Reserved Forests—*cont.*

Reserved Forests in the Hazara district of the Punjab—*cont.*:
Prevention of fire in - - - - - - - Reg.6,1893,ss.6to8,26.
Power to declare forest no longer reserved - - - „ s.9

2. Village Forests.

Constitution, management, protection and improvement of; application of provisions as to reserved forests - - - - Act7,1878,s.27. (As.)Reg.7,1891,ss.29,30. (L.B.)Act19,1881,ss.31,33. (U.B.)Reg.6,1887,ss.28,32.

Teak trees in, to be Government property; cutting and injuring such trees - - - - - - - - - (L.B.)Act19,1881,s.30. (U.B.)Reg.6,1887,s.29.

Private rights in; enquiry into, and settlement of - - - (As.)Reg.7,1891,s.31. (L.B.)Act19,1881,s.34. (U.B.)Reg.6,1887,s.31.

Waste-lands of villages in the Hazara district of the Punjab:
Village waste-lands property of land-owners of village, subject to certain rights, powers and claims; restriction on exercise of certain private rights; deodar trees in Kagan taluqa Government property - - - - - - - Reg.6,1893,section10.
Power to protect lands; demarcation of protected lands; protection of trees; setting apart land for growth of trees; prevention of erosion, etc. - - - - - - - „ ss.11to15.
Appointment and duties of Village Forest Officer - - „ s.16.
Control over firing of - - - - - - - „ s.17.
Preservation, reproduction and disposal of trees and timber growing on - - - - - - - - - „ s.47(*c*).
Offences in; report of offences; penalties - - - „ ss.19,20,22.
Recovery of costs of management of - - - - „ s.21.

3. Protected Forests.

Formation of - - - - - - - - Act 7,1878,sections28,34.
Private rights not affected by formation of - - - - „ ss.28,34.
„ „ power to suspend - - - - - „ ss.29,30.
„ „ power to regulate exercise of; penalty for breach - „ ss.31(*l*),32,33.
Power to reserve trees in; penalty for felling, etc., such trees - „ ss.29,30,32,33.
„ temporarily close portion of - - - - „ ss.29,30.
„ prohibit certain acts in; penalty for breach - - „ ss.29,30,32,33.
„ make rules for management of; penalty for breach - „ ss.31(rep.in pt. locally Act6,1879, s.2),32,33.
Prevention of fire in - - - - - - - „ ss.31(*h*),32,78.

4. Private Forests.

Protection of, by Government, for certain special purposes, after hearing owner's objections - - - - - - *Act7,1878,s.35. Mad.Act5,1882,s.29.*
Power to assume management of, with or without request of owner - *Act7,1878,ss.36,38. Mad.Act5,1882,ss.30,32.*
„ acquire - - - - - - - - *Act7,1878,s.37. Mad.Act5,1882,ss.30,31.*

FOREST—*cont.*

4. Private Forests—*cont.*

Preservation, reproduction and disposal of Government trees and timber grown in - - - - - - - - - Act7,1878,s.75(c). Mad.Act5,1882,s.63(d).

Power to apply the Ajmere Forest Regulation, VI of 1874, to private forests in Ajmere; nomination or election of Forest officer; his powers; power to make rules for preservation of trees; penalty for breach of rules - - - - - - - - - (Aj.)Reg.1,1892.

Management of forests in which Government and private persons are jointly interested; power to apply provisions as to reserved forests, etc. - - - - - - - - - Act7,1878,s.79. Mad.Act5,1882,s.33.

5. Duty.

Power to levy duty on timber or other forest produce produced in or imported into province; determination of value for assessment of duty - - - - Act7,1878,s.39(am.Act5, 1890,s.8).

" " on timber produced in or imported into Hazara district - - - - - - - (Haz.)Reg.6,1893,s.33.

" " on timber or other forest produce imported; determination of value for assessment of duty (As.)Reg.7,1891,s.37. (L.B.)Act19,1881,s.39(am Act5,1890,s.17). (U.B.)Reg.6,1887,s.37.

Duty on teak timber cut in Attaran forest and floated down Attaran river - - - - - - - - - (L.B.)Act19,1881,s.40.

Power to exempt produce from duty - - - - - - (As.)Reg.7,1891,s.38. (L.B.)Act19,1881,s.41(am. Act5,1890,s.17). (U.B.)Reg.6,1887,s.38.

Purchase-money or royalty not affected by duty - - - - Act7,1878,s.40. (As.)Reg.7,1891,s.39. (L.B.)Act19,1881,s.42(am, Act5,1890,s.17). (U.B.)Reg.6,1887,s.39.

6. Produce.

Definitions of "tree," "timber" and "forest produce" - - - Act7,1878,s.2(am.Act5, 1890,s.2). (As.)Reg.7,1891,s.3. (L.B.)Act19,1881,s.3(am. Act5,1890,s.15). (U.B.)Reg.6,1887,s.2(am. Reg.8,1893,s.2). Mad.Act5,1882,s.2. (Br.Bal.)Reg.5,1890,s.2.

Definitions of "timber" and "forest produce" - - - (Haz.)Reg.6,1893,s.2.

Power to reserve trees; penalty for dealings with such trees - - Act7,1878,ss.29(a),32(a). (As.)Reg.7,1891,ss.32,33, 36. (Br.Bal.)Reg.5,1890,ss. 11,12.

FOREST—*cont.*

6. Produce—*cont.*

Teak trees on unsettled Government land deemed Government property and reserved, unless notification issued; power to reserve other trees on Government land; penalty for dealings with such trees — (L.B.)Act19,1881,ss.35 36,38. (U.B.)Reg.6,1887,ss.32, 33.

Right of private individuals and Government, respectively, to trees and other forest-produce on land which has been surveyed and settled — Bom.Act5,1879,ss.40,44. (rep.locallyBom.Act6, 1888),41.

Penalty for damaging tree, or collecting, manufacturing or removing forest-produce, in reserved forest — Act7,1878,s.25(*f*),(*g*). (As.)Reg.7,1891,s.25(*d*) (*e*). (L.B.)Act19,1881,ss.25to 27. (U.B.)Reg.6,1887,ss.23to 25. Mad.Act5,1882,s.21. (Haz.)Reg.6,1893,ss.6to8. (Br.Bal.)Reg.5,1890,ss. 7to9.

Power to prohibit or regulate the cutting of trees or timber, or the collection, manufacture or removal of forest-produce, or the use of land, in protected forest; penalty — Act7,1878,ss.29,31,32.

Cultivation in reserved forest; penalty — „ s.25(*a*),(*h*). (As.)Reg.7,1891,ss.25,26. (L.B.)Act19,1881,ss.26(*a*), (*f*),27. (U.B.)Reg.6,1887,ss.24,25. (Br.Bal.)Reg.5,1890,ss.8, 9. Mad.Act5,1882,s.21. (Haz.)Reg.6,1893,ss 6to8.

„ „ protected forest; penalty — Act7,1878,ss.29,31(*g*), 32.

Regulation of cultivation and dealing with timber and other forest produce in unsettled Government forest lands; penalty — (As.)Reg.7,1891,ss.34to36. (L.B.)Act19,1881,ss.37,38. (U.B.)Reg.6,1887,ss.34to 36. Mad.Act5,1882,s.26.

Licenses for felling trees or collecting forest-produce — (And.)Reg.3,1876,ss.10. to12,32.

„ preparing or collecting forest-produce; recovery of license fees — (L.B.)Act2,1876,ss.40, 43to53.

Preservation, reproduction and disposal of—

Government trees and timber grown on private land — Act7,1878,s.75(*c*). Mad.Act5,1882,s 63(*d*).

trees and timber growing on village waste-lands — (Haz.)Reg.6,1893,s.47(*c*).

Power to make rules to prevent charcoal-burning and destruction of trees near State forest, or in other places — (Aj.)Reg.6,1874,s.12.

Protection of groves of trees near villages, etc. — (Haz.)Reg.6,1893,s.23.

Cultivation in dangerous positions on hill-sides; penalty — „ „ s.24.

Seigniorage fees — „ „ s.25.

FOREST—*cont.*

6. Produce—*cont.*

Provision of, for village community - - - - - Act7,1878,s.27. (As.)Reg.7,1891,s.30. (L.B.)Act19,1881,s.33. (U.B.)Reg.6,1887,s.30.

Pasturing cattle, or permitting cattle to trespass, in reserved forest; penalty - - - - - - - - - Act7,1878,s.25. (As.)Reg.7,1891,ss.24,26. (L.B.)Act19,1891,ss.25, 27. (U.B.)Reg.6,1887,ss.23, 25. (Br.Bal.)Reg.5,1890,ss.7, 9. Mad.Act5,1882,s.21.

Grazing or driving cattle in reserved forest; penalties - - (Haz.)Reg.6,1893,ss. 6to8.

Regulation of pasturing in protected forest; penalty - - Act7,1878,ss.31(*i*),32.

Regulation or prohibition of pasturing; penalty—

in private forest - - - - - - - - „ ss.35,36. Mad.Act5,1882,ss.29,30.

in unsettled Government forest land - - - - (As.)Reg.7,1891,ss.34to 36. (L.B.)Act19,1881,ss.37,38. (U.B.)Reg.6,1887,ss.34to 36. Mad.Act5,1882,s.26.

Seizing and impounding of cattle trespassing in reserved forest, etc.; application of Cattle-trespass Act, 1871, with power to alter rates of fine - - - - - - - - - Act7,1878,ss.69,70. (As.)Reg.7,1891,ss.66,67. (L.B.)Act19,1881,ss.68, 69. (U.B.)Reg.6,1887,ss.66, 67. (Br.Bal.)Reg.5,1890,ss. 18,19. Mad.Act5,1882,ss.57,58. (Haz.)Reg.6,1893,s.34.

Power to close unsettled Government land against pasture; penalty for cattle pasturing or trespassing in land after such closing - Mad.Act5,1882,ss.27,28.

Power to close lands burnt against grazing - - - - (Haz.)Reg.6,1893,s.28.

Hunting, shooting or fishing; penalty—

in reserved forest - - - - - - Act7,1878,s.25(*i*)(rep.in pt.locallyAct6,1879). (As.)Reg.7,1891,ss.24,26. (L.B.)Act19,1881,ss.25, 27. (U.B.)Reg.6,1887,ss.23, 25. (Br.Bal.)Reg.5,1890,ss.7, 9 Mad.Act5,1882,s.21. (Haz.)Reg.6,1893,ss.6to8.

FOREST—*cont.*

6. Produce—*cont.*

Hunting, shooting or fishing; penalty—*cont.*

in protected forest - - - - - - - Act7,1878,ss.31(*j*)(rep.in pt.locally Act6,1879), 32(*h*).

in unsettled Government forest land - - - - (As.)Reg.7,1891,ss.34to 36. (L.B.)Act19,1881,ss.37, 38. (U.B.)Reg.6,1887,ss.34to 36. Mad.Act5,1882,s.26.

See also ELEPHANT.

Transit of: control of Local Government over; power to make rules for transit and for regulation of depôts or stations and prevention of obstructions in rivers; penalties for breach of rules - - - - - - Act7,1878,ss.41(am.Act 5,1890,s.8,)42. (As.)Reg.7,1891,ss.40,41. (L.B.)Act19,1881,ss.43· (am.Act5,1890,s.17),44. (U.B.)Reg.6,1887,ss.40. (am.Reg.8,1890,s.3),41. Mad.Act5,1882,ss.35,36.

„ „ stations for controlling; routes for transit; passes; penalties; exemptions - - - - - (Br.Bal.)Reg.5,1890,ss.13 to17.

„ „ power to make rules to regulate - - - (Haz.)Reg.6,1893,s.30.

„ „ employés at transit depôt or station bound to aid in case of accident thereat - - - - Act7,1878,s.44. (As.)Reg.7,1891,s.42. (L.B.)Act19,1881,s.45. (U.B.)Reg.6,1887,s.42.

Timber drift, stranded, sunk, unmarked or bearing unregistered mark:

Collection of - - - - - - - - Act7,1878,ss.45,51. (As.)Reg.7,1891,ss.43,48, 68. (L.B.)Act19,1881,ss.46,51, 70. (U.B.)Reg.6,1887,ss.43,48, 68. (Haz.)Reg.6,1893,ss.30,32.

Deemed Government property until title proved - - Act7,1878,s.45. (As.)Reg.7,1891,s.43· (L.B.)Act19,1881,s.46. (U.B.)Reg.6,1887,s.43· (Haz.)Reg.6,1893,s.32·

Claims to; disposal of - - - - - - Act7,1878,ss.46,47(am. Act5,1890,s.9). (As.)Reg.7,1891,ss.44,45, 68. (L.B.)Act19,1881,ss.47,48 (am.Act5,1890,s. 18),70·

FOREST—*cont.*

6. Produce—*cont.*

Timber drift, stranded, sunk, unmarked or bearing unregistered mark—*cont.*:

Claims to; disposal of—(*cont.*) - - - - (U.B).Reg.6,1887,ss.44, 45(am.Reg.8. 1890,s.4),68. (Haz.)Reg.6,1893,s.32.

Expenses of collecting, etc., to be paid by claimant - Act7,1878,s.50. (As.)Reg.7,1891,s.47. (L.B.)Act19,1881,s.50. (U.B.)Reg.6,1887,s.47.

Unclaimed; disposal of - - - - - - Act7,1878,s.48(am.Act5, 1890,s.10). (As.)Reg.7,1891,s.46. (L.B.)Act19,1881,s.49. (U.B.)Reg.6,1887,s.46.

Power to make rules as to collecting, etc.; penalty for breach - Act7,1878, s.51. (As.)Reg.7,1891,s.48. (L.B.)Act19,1881,s.51. (U.B.)Reg.6,1887,s.48.

Waif and unowned timber or other forest produce; collection and disposal of - - - - - - - - - (Haz.)Reg.6,1893,s.30.

Duty on. *See above*, 5.

Loss, damage and sale of. *See below*, 8.

Private rights in. *See above*, 1, 2, 3.

Seizure of. *See below*, 7.

7. Offences, Penalties and Procedure

General penalty for breach of rules - - - - Act7,1878,s.76.

Penalty for counterfeiting or defacing mark on timber or altering boundary-mark - - - - - - - Act7,1878,s.62. (As.)Reg.7,1891,s.59. (L.B.)Act19,1881,s.62. (U.B.)Reg.6,1887,s.59. (Br.Bal.)Reg.5,1890,s.29. Mad.Act5,1882,s.50. (Haz.)Reg.6,1893,s.31.

Confiscation of share of forest produce on failure to perform service for rendering which the share is held - - - - Act7,1878,s.80. Bom.Act1,1880,s.42.

Forfeiture of lease, license or contract after commission of offence - (As.)Reg.7,1891,s.65. (U.B.)Reg.6,1887,s.65.

Power to close lands illicitly cultivated - - - - (Haz.)Reg.6,1893,s.29.

Joint and several liability of villagers, etc., for burning of forest; power to close lands burnt against grazing and wood-cutting till restored - - - - - - - - „ „ ss.27,28.

Seizure of forest produce in respect of which offence committed, and other property; procedure thereupon; confiscation; disposal of property; appeal; punishment for wrongful seizure (*P. T. O.*) - Act7,1878,ss.52to56(am. Act5,1890,s.11),57to 61. (As.)Reg.7,1891,ss.49to 58. (L.B.)Act19,1881,ss.52 to61.

FOREST—*cont.*

7. Offences, Penalties and Procedure—*cont.*

Seizure of forest produce in respect of which offence committed, and other property; procedure thereupon; confiscation; disposal of property; appeal; punishment for wro ngful seizure—(*cont.*) - (U.B.)Reg.6,1887,ss.49 to58. (Br.Bal.)Reg.5,1890,ss.20 to28,31. Mad.Act5,1882,ss 41to49, 52. (Haz.)Reg.6,1893,ss.36, 45.

Punishment for wrongful arrest - - - - - Mad.Act5,1882,s.52. (Br.Bal.)Reg.5,1890,s.31.

Penalties. *See also above*, 1, 2, 3, 6, *and below*, 8.

Arrest without warrant - - - - - - Act7,1878,s.63(am.Act5, 1890,s.12). (As.)Reg.7,1891,s.60. (L.B.)Act19,1881,s.63. (U.B.)Reg.6,1887,s.60. (Br.Bal.)Reg.5,1890,s.30. Mad.Act5,1882,s.51. (Haz.)Reg.6,1893,s.35.

Forest-officers and Police-officers to prevent offences - - - Act7,1878,s.64. (As.)Reg.7,1891,s.61. (L.B.)Act19,1881,s.64. (U.B.)Reg.6,1887,s.61. (Br.Bal.)Reg.5,1890,s.32. Mad.Act5,1882,s.53.

Report of offences to be made by rural policemen - - - (As.)Reg.1,1883,s.18(*10*) (am.Act5,1897,s.2).

Compounding of offences; release of seized property on payment of value - - - - - - - - Act7,1878,s.67(am.Act5. 1890,s.13). (As.)Reg.7,1891,s.62. (L.B.)Act19,1881,s.66(am. Act5,1890,s.20). (U.B.)Reg.6,1887,s.62(am. Reg.8,1890,s.5). (Br.Bal.)Reg.5,1890,s.33. Mad.Act5,1882,s.55. (Haz.)Reg. 6,1893,s.37

Compensation payable to Government for damage caused by offence; appeal - - - - - - - - - (As.)Reg.7,1891,s.64 (U.B.)Reg.6,1887,s.64

Summary trial of offences - - - - - - Act7,1878,s.65. (Haz.) Reg.6,1893,s.40.

Forest officers; power of, to try suits, call evidence, issue search-warrants, hold *enquiries and record* evidence; admissibility of such evidence *in trial before Magistrate* - - - - - Act7,1878,ss.7,8,71. (As.)Reg.7,1891,ss.8,9,68. (L.B.)Act19,1881,ss.9,10, 70. (U.B.)Reg.6,1887,ss.7,8, 68. (Br.Bal.)Reg.5,1890,s.35. Mad.Act5,1882,ss.8,9,59. (*Haz.*)Reg.6,1893,s.42.

Forest Court; constitution and powers of - - - - Mad.Act5,1882,ss.37to40.

FOREST—*cont.*

7. Offences, Penalties and Procedure—*cont.*

Application of Code of Criminal Procedure, 1882 - - - (Haz.)Reg.6,1893,s.40.

Bar of jurisdiction of Civil Courts in certain cases; procedure of Revenue-officers; appeals - - - - - - „ „ s.39.

Act done in good faith; bar to suit for - - - - Act7,1878,s.73. (Haz.)Reg.6,1893,s.44.

„ „ „ „ suit or prosecution for - (As.)Reg.7,1891,s.70. (L.B.)Act19,1881,s.72. (U.B.)Reg.6,1887,s.70. (Br.Bal.)Reg.5,1890,s.37. Mad.Act5,1882,s.61.

Prosecutions under other laws not barred, but no second punishment allowed - - - - - - - - Act7,1878,s.66. (L.B.)Act19,1881,s.65. Mad.Act5,1882,s.54.

Sanction required to prosecutions in certain cases. *See* CHIN HILLS, 5; KACHIN HILLS, 5.

8. Miscellaneous.

Forest-officers deemed "public servants," and not to trade - - Act7,1878,ss.72,74. (As.)Reg.7,1891,ss.69,71. (L.B.)Act19,1881,ss.71, 73. (U.B.)Reg.6,1887,ss.69, 71. (Br.Bal.)Reg.5,1890,ss. 36,38. Mad.Act5,1882,ss.60,62. (Haz.)Reg.6,1893,ss.43, 46.

„ power of, to enter, survey, demarcate and make map - Act7,1878,ss.8,71. (As.)Reg.7,1891,ss.9,68. (L.B.)Act19,1881,ss.10, 70. (U.B.)Reg.6,1887,ss.8,68. Mad.Act5,1882,ss.9,59. (Haz.)Reg.6,1893,s.42.

„ power to invest them with certain powers - - Act7,1878,s.71. (As.)Reg.7,1891,s.68. (L.B.)Act19,1881,s.70. (U.B.)Reg.6,1887,s.68. (Br.Bal.)Reg.5,1890,s.35. Mad.Act5,1882,s.59. (Haz.)Reg.6,1893,ss.41, 42.

Certain persons bound to report offences to, and to assist, Forest-officer or Police-officer - - - - - - Act7,1878,s.78. (As.)Reg.7,1891,s.74. (L.B.)Act19,1881,s.76. (U.B.)Reg.6,1887,s.74. (Br.Bal.)Reg.5,1890,s.40. Mad.Act5,1882,s.23.

Certain persons bound to report offences to Revenue-officer, Forest-officer, Village Forest-officer or Police-officer, and to extinguish fire, prevent offences and arrest offenders - - - - (Haz.)Reg.6,1893,s.26.

FOREST—*cont.*

8. Miscellaneous—*cont.*

Rewards to officers and informers - - - - - - Act7,1878,s.75(*b*). (As.)Reg.7,1891,s.72(*c*). (L.B.)Act19,1881,s.74(*c*). (U.B.)Reg.6,1887,s.72(*c*). (Br.Bal.)Reg.5,1890,s.39 (*b*). Mad.Act5,1882,s.63(*c*). (Haz.)Reg.6,1893,s.47(*b*).

Presumption that forest-produce is Government property - - Act7,1878,s.68. (As.)Reg.7,1891,s.63. (L.B.)Act19,1881,s.67. (U.B.)Reg.6,1887,s.63. (Br.Bal.)Reg.5,1890,s.34. Mad.Act5,1882,s.56.

Recovery of money due to Government; lien on and sale of forest-produce - - - - - - - - Act 7,1878,ss.81,82. (As.)Reg.7,1891,ss.75,76. (L.B.)Act19,1881,ss.77,78. (U.B.) Reg.6,1887,ss.75,76. (Br.Bal.)Reg.5,1890,ss.41, 42. Mad.Act5,1882,ss.66,67. (Haz.)Reg.6,1893,s.38. (And.Reg.3,1876,s.11.

„ of penalties due under bond; Contract Act, 1872, s. 74, barred - - - - - - - - Act7,1878,s.84(ad.Act 5,1890,s.14). (As.)Reg.7,1891,s.79. (L.B.)Act19,1881,s.81(ad. Act5,1890,s.22). (U.B.)Reg.6,1887,s.79(ad. Reg.8,1890,s.7). (Br.Bal.)Reg.5,1890,s.44.

Government not liable for loss of or damage to timber or other forest-produce; Forest-officer not liable except for negligence, etc. - Act7,1878,ss.43,49. (As.)Reg.7,1891,s.77. (L.B.)Act19,1881,s.79. (U.B.)Reg.6,1887,s.77. (Br.Bal.)Reg.5,1890,s.43. (Haz.)Reg.6,1893,s.32(*3*).

Rules; general power to make - - - - - - - Act7,1878, s.75. (As.)Reg.7,1891,s.72. (L.B.)Act19,1881,s.74. (U.B.)Reg.6,1887,s.72. (Br.Bal.)Reg.5,1890,s.39. Mad.Act5,1882,s.63. (Haz.)Reg.6,1893,s.47.

„ certain; sanction of Governor General in Council required to Act7,1878,s.77.

„ publication of - - - - - - - „ s.77. (As.)Reg.7,1891,s.73. (L.B.)Act19,1881,s.75. (U.B.)Reg.6,1887,s.73. Mad.Act5,1882,s.64.

Local Government may delegate certain of its powers - - „ s.65.

FOREST—*cont.*

8. Miscellaneous—*cont.*

Local Government; powers of, exerciseable from time to time - (L.B.)Act19,1881,s.75. Mad.Act5,1882,s.64.

Acquisition of land - Act7,1878,ss.10,37,83. (As.)Reg.7,1891,ss.11,78. (L.B.)Act19,1881,ss.12, 80. (U.B.)Reg.6,1887,ss.10, 78. Mad.Act5,1882,ss.10,30, 31,68.

Madras Forest Act, 1882, validated - (M.)Act21,1882.

Rights of profit not affected by Burma Land and Revenue Act, 1876 - (L.B.)Act19,1881,s.4.

FORFEITED DEPOSITS ACT, 1850.[1] (*See* LANDLORD AND TENANT) - Act25,1850.

FORFEITURE.

Grant of, before conviction, bad - 1W.&M.sess.2,c.2.[2]

Act 25, 1857, declared in force throughout British India, except as regards the Scheduled Districts - Act15,1874,s.3.

Act 9, 1859, ss. 16 to 18 and 20, declared in force— throughout British India, except as regards the Scheduled Districts - Act15,1874,s.3.

in Upper Burma generally, except the Shan States (except the last para. of s. 18) - Act20,1886,s.6.

in British Baluchistan (except the last para. of s. 18) - Reg.1,1890,s.3.

To extend to—

all property possessed by offender at date of offence, or later; exception in favour of certain transferees in good faith - Act25,1857,section3.

immoveable property alienated before commission of offence; exceptions - ,, s.4.

Power, in case of offence for which forfeiture of property prescribed, to adjudge forfeiture after death of or in absence of offender - ,, s.1(am.Act 12,1891).

Power of Court adjudging, to specify day on which offence was committed - ,, s.5.

What proved by conviction or adjudication of - ,, s.6.

Forfeited property; recovery of - ,, s.7.

,, ,, restoration of, or surrender, etc. - ,, s.8.

Power to attach property pending adjudication - ,, s.10.

Bar to raising of questions as to validity of - Act9,1859,ss.16to18,20.

None in case of suicide - (Bo.,Cal.)Act5,1871,s.30.

See also CRIMINAL LAW (INDIAN), 2; MURDEROUS OUTRAGES; RAILWAY, 9 (*a*); STATE OFFENCES.

FORT WILLIAM ACT, 1881 - Act13,1881.

FORT WILLIAM.

Power to define limits of - Act13,1881,section2.

Power of Commander-in-Chief to make rules for government of, and to prescribe penalties for breach of rules - ,, s.3,Sch.

[1] This short title was given by Act 5, 1897, s. 4.

[2] This Act is indexed because it is published in the Collection of Statutes relating to India.

FORT WILLIAM—*cont.*

Power of Governor General in Council to invest Fort Magistrate with power to try breaches of such rules - - - - } Act 13, 1881, section 4.
Procedure of Fort Magistrate; finality of his orders - - - ,, s.5.
Power to arrest without warrant; disposal of arrested persons - ,, s.6.
Act not to confer jurisdiction over persons subject to military law, other than artificers, labourers, sutlers and followers - - } ,, s.1.
Act not to affect jurisdiction of Presidency Magistrates - - } ,, s.7.
Prosecutions under other laws not barred, but only one punishment allowed - - - - - - - - }
Limitation of prosecutions - - - - - - - ,, s.8.

FRAUDULENT BREACH OF CONTRACT.

By artificers, workmen or labourers; punishment for - - Act13,1859,ss.1to4.

FRAUDULENT CONVEYANCE.

To defraud creditors, void; parties to, punished - - - } [1]13E.c.5(rep.locally, Act4,1882).
To deceive purchasers, void; ,, ,, - - - } [1]27E.c.4(rep.locally,Act 4,1882).
Voidable - - - - - - - - - Act4,1882,s.53.
Avoidance of, under Insolvency Act - - - - - 11-2V.c.21,s.24.
Punishment for fraudulent deeds or dispositions of property - Act45,1860,ss.421to424.

FRONTIER REGULATION (PUNJAB), 1872[2] - - - - Reg.1,1872.
,, ,, (SINDH), 1872[2] - - - - Reg.5,1872.
,, ,, ,, 1892 - - - - Reg.3,1892.
,, CRIMES REGULATION (PUNJAB), 1887 - - - Reg.4,1887.
,, ,, ,, ,, 1889 - - - Reg.4,1889.
,, CROSSING REGULATION (PUNJAB), 1873[2] - - - Reg.7,1873.
,, CROSSING AND DISTURBED DISTRICTS REGULATION (UPPER BURMA), 1887 - - - - - - } Reg.9,1887.
,, GRAZING REGULATION, 1874 - - - - Reg.1,1874.
,, JAGIR REVENUE COLLECTION REGULATION (PUNJAB), 1874 Reg.7,1874.
,, POLICE REGULATION (CHITTAGONG HILL TRACTS), 1881 - Reg.3,1881.
,, POLICE OFFICERS REGULATION (PUNJAB), 1893 - - Reg.7,1893.
,, TRACTS REGULATION (ASSAM), 1880 - - - Reg.2,1880.
,, ,, ,, ,, 1884 [3] - - - Reg.3,1884.
,, TRIBES REGULATION (BURMA), 1896 - - - Reg.2,1896.

FRONTIER.

1872. Reg. 1 (Hazara District).
,, Reg. 5 (Sindh Frontier).
1873. Reg. 5 (Inner Line; Elephants: Assam, Chittagong Hills).
,, Reg. 7 (Crossing, Punjab Frontier).
1874. Reg. 1 (Grazing, Punjab Frontier).
,, Reg. 2 (Hazara District).
,, Reg. 7 (Collection of land-revenue, Punjab Frontier).
1878. Act 11, s. 11 (Arms).
1880. Reg. 2 (Assam Frontier).
1881. Reg. 3 (Police, Chittagong Hills).
1882. Reg. 1 (Garo Hills).
1884. Reg. 3 (Assam Frontier, etc.).
1887. Reg. 4 (Crimes: Punjab and British Baluchistan Frontiers).
,, Reg. 9 (Frontier and Disturbed Districts, British Baluchistan, Upper Burma).
1889. Reg. 4 (Crimes, Punjab Frontier).
1890. Reg. 1, ss. 3, 4 (Laws, British Baluchistan).

[1] These Acts are indexed because they are published in the Collection of Statutes relating to India.
[2] This short title was given by Notification No. 13, dated 11th October, 1875, in Gazette of India, 1875, Pt. I, p. 529.
[3] This short title was given by Act 5, 1897, s. 4.

FRONTIER—*cont.*

1892. Reg. 3 (Sindh Frontier).
1893. Reg. 7 (Police, Punjab Frontier).
1895. Reg. 1, s. 3 (Laws, Kachin Hills).
1896. Reg. 2 (Blockade, Burma).
„ Reg. 5, s. 3 (Laws, Chin Hills).
1897. Act 5, s. 2 (Repeal).

GENERALLY - - - - - .....

A.—ASSAM - - - - - 1. Laws and Boundaries. 2. Inner Line. 3. Special provisions for Garo Hills.

B.—BRITISH BALUCHISTAN - 1. Crimes. 2. Crossing.

C.—BURMA - - - - 1. Blockade (Upper and Lower Burma). 2. Crossing (Upper Burma).

D.—CHITTAGONG HILLS - - 1. Inner Line; Elephants. 2. Police.

E.—PUNJAB - - - - 1. Collection of land-revenue. 2. Crimes. 3. Police. 4. Crossing. 5. Grazing. 6. Special Provisions for Hazara District.

F.—SINDH - - - - - Crimes.

GENERALLY.

Establishment of searching stations under Arms Act - - - Act11,1878,s.11.

A.—ASSAM.

1. Laws and Boundaries.

Power to direct that any enactment shall cease to be in force in frontier tract, but not so as to affect criminal jurisdiction over European British subjects - - - - - Reg.2,1880,s.2.

Power to settle boundary of frontier tract - - - - „ s.3.

Power to extend Reg. 2, 1880, to Garo Hills and Khasi and Jaintia Districts and to portion of Nowgong District - - - Reg.3,1884,s.1.

Act 10, 1872 (Criminal Procedure), deemed never to have come into force in Garo Hills, Naga Hills or Khasi and Jaintia Hills District „ s.2.

2. Inner Line.

Reg. 5, 1873,[1] extends to districts of Cachar, Darrang, Kamrup, Khasi and Jaintia Hills, Lakhimpur, Naga Hills, Nowgong and Sibsagar - - - Reg.5,1873,preamble,s.1.

„ „ repealed as to Garo Hills - - - - Act5,1897,s.2,Sch.I.

Provision as to the "Inner Line" (*for details see below*, D, 1) - Reg.5,1873,ss.2to7,11.

3. Special Provisions for Garo Hills.

Power of Local Government to prohibit cutting of wood, hunting and collection of jungle-products by persons not natives of district, except under license - - - - - - Reg.1,1882,s.2.

Penalty for acts in contravention of such prohibition or for breach of such license - - - - - - - „ s.3.

Persons other than natives of district not to acquire interest in land or products of land without official sanction; power to extend prohibition to natives of district - - - - - „ s.4.

[1] Reg. 5, 1873, has been extended, by notification under the Scheduled Districts Act, 1874, to the Eastern Dvars in the Goalpara District and to the Mokokchang Sub-division of the Naga Hills District.

FRONTIER—*cont.*

A.—ASSAM—*cont.*

3. Special Provisions for Garo Hills—*cont.*

Recovery of fines imposed under Regulation - - - Reg.1,1882,s.5.
Exercise of jurisdiction in respect of offences under Regulation - „ s.6.

B.—BRITISH BALUCHISTAN.

1. Crimes.

Reg. 4, 1887, ss. 3 to 48, 50 to 54, declared in force in British Baluchistan; references to the Commissioner to be read as references to the Chief Commissioner of British Baluchistan (*for index to Reg. 4, 1887, see below*, E, 2) - - - - - Reg.1,1890,ss.3,4.

2. Crossing.

Persons duly warned not to cross frontier; penalties - - - Reg.9,1887,ss.2to4.
Power to require security from persons suspected of intended disobedience to warning - - - - - - - „ s.5.
Reg. 9, 1887, declared in force in British Baluchistan (with modifications) - - - - - - - - Reg.1,1890,ss.3,4(5).

C.—BURMA.

1. Blockade (Upper and Lower Burma).

Power to blockade frontier tribe, etc., showing hostility to British Government, or raiding on tribe, etc., under the protection of British Government - - - - - - Reg.2,1896.

2. Crossing (Upper Burma).

Persons duly warned not to cross frontier into foreign territory or Shan State; penalties - - - - - - Reg.9,1887,ss.2to4.
Power to require security from persons suspected of intended disobedience to warning - - - - - - - „ s.5.
Reg. 9, 1887, declared in force—
in Kachin Hill-tracts, as regards hill-tribes - - - Reg.1,1895,s.3.
in certain tracts in the Chin Hills - - - - Reg.5,1896,s.3.

D.—CHITTAGONG HILLS.

1. Inner Line; Elephants.

Power to prescribe and alter a line to be called "the Inner Line" - „ prohibit British subjects, residents or travellers from going beyond such line without a pass - - - - Reg.5,1873,s.2.
„ prescribe form of pass and impose fees therefor - - „ s.4.
Penalty for going beyond such line without pass; arrest - - „ ss.3,6.
„ breach of conditions of pass; arrest - - - „ ss.4,6.
Confiscation of jungle products found in possession of person convicted of offence under Regulation - - - - - „ s.5.
Persons other than natives of district not to acquire interest in land or product of land beyond the Inner Line without sanction of Government; power to extend prohibition to natives of district - „ s.7.
Wild elephants:
Penalty for illegal killing or capture of; surrender of elephant to Government, or payment of royalty, when elephant lawfully captured - - - - - - - „ s.8.

FRONTIER—*cont.*

D.—CHITTAGONG HILLS—*cont.*

1. Inner Line; Elephants—*cont.*

Wild elephants—*cont.*:
- Limitation of prosecutions under s. 8 — Reg.5,1873,s.10.
- Power to make rules as to licenses for killing or capturing elephants — Reg.5,1873,s.9.
- Jurisdiction as to offences under Regulation — Reg.5,1873,s.11.

2. Police.

- Definitions — Reg.3,1881,section2.
- Punishments — Reg.3,1881,ss.3to5.
- Punishments, departmental — Reg.3,1881,s.6.
- Place of imprisonment — Reg.3,1881,s.7.
- Prosecutions under other laws not barred, but only one punishment allowed — Reg.3,1881,s.8.
- Magisterial powers of Police-officers — Reg.3,1881,s.9.

E.—PUNJAB.

1. Collection of Land-revenue.

- Power to permit assignee to collect land-revenue in kind; bar to jurisdiction of Courts — Reg.7,1874.

2. Crimes.

- Districts and classes of persons subject to Reg. 4, 1887 — Reg.4,1887,s.1. Reg.4,1889.
- Definition of "Council of Elders" and "Commissioner" — Reg. 4, 1887, section 3.
- Extraordinary powers of Courts and Officers — Reg. 4, 1887, ss.5to9.
- Council of Elders:
  - Reference to, of civil disputes likely to cause blood-feud, etc.; restriction on jurisdiction of Civil Courts — Reg. 4, 1887, ss.10to12,22.
  - Reference to, of criminal cases, for enquiry; procedure; sentences to be passed by Deputy Commissioner; execution of sentences; revision by Commissioner — Reg. 4, 1887, ss.13to22,Sch.II.
- Punishment for certain offences by—
  - tribe or village community — Reg. 4, 1887, ss.23to27,29,30.
  - individual — Reg. 4, 1887, ss.28to32,50.
- Powers for preventing erection of new villages, towers, etc., and for removal of villages or persons — Reg. 4, 1887, ss.33to36.
- Powers of arrest — Reg. 4, 1887, ss.37,38.
- Security for good behaviour — Reg. 4, 1887, ss.39to46.
- Disposal of fines — Reg. 4, 1887, s.47.
- Maintenance of registers — Reg. 4, 1887, s.48.
- Continuance of Police Act, V of 1861 — Reg. 4, 1887, s.49.
- Application of—
  - Act 45, 1860 (Penal Code), ss. 60, 63 to 74 — Reg. 4, 1887, s.52.
  - Act 10, 1882 (Criminal Procedure), Ch. VIII — Reg. 4, 1887, s.46.
- Relation of Reg. 4, 1887, to other enactments — Reg. 4, 1887, s.4.
- General bar to jurisdiction of Civil and Criminal Courts — Reg. 4, 1887, s.51.
- Power to make rules under Regulation — Reg. 4, 1887, s.53.
- Powers under Regulation exerciseable from time to time — Reg. 4, 1887, s.54.

FRONTIER—*cont.*

E.—PUNJAB—*cont.*

3. Police.

Act 5, 1861, s. 20 (limitation of authority of Police-officers), not to apply to Assistant District Superintendent whose duties are exercised exclusively in connection with unenrolled border police force - - - - - - - - - - Reg.7,1893,section2.

Power to confer magisterial powers on such Police-officers - - „ s.3.

Validation of authority exercised in the past by such Police-officers - „ ss.4,5.

4. Crossing.

Persons duly warned not to cross frontier; penalties - - - Reg.7,1873,ss.1to5.

Power to require security from persons suspected of intended disobedience to warning - - - - - - - „ s.6.

5. Grazing.

Prohibition against grazing animals unaccompanied by guard; seizure of animals; fines and penalties; sale of unclaimed animals - Reg.1,1874,ss.3to8.

Power to exempt tracts from operation of parts of Regulation - „ s.9.

6. Special Provisions for Hazara District.

Certain rules declared in force relating to settlement operations in the Hazara District - - - - - - - Reg.1,1872,s.13,Sch.(pt. rep.Regs.3of1873,2 of1874and4of1891, andAct17of1887).

Act 15, 1877 (Limitation), declared in force in Hazara District - Reg.2,1874,section3.

Reg. 2, 1874, not to apply to certain claims - - - - „ s.4.

F.—SINDH.

Crimes.

Definition of "Council of Elders" - - - - - - Reg.3,1892,section4.

Council of Elders:

Reference to, of civil disputes likely to cause blood-feud, etc.; restriction on jurisdiction of Civil Courts - - - „ ss.5to7,18.

Reference to, of criminal cases, for enquiry; procedure; sentences to be passed by District Magistrate; execution of sentences; revision by Commissioner - - - - „ ss.8to18.

Punishments for certain offences by—

tribe or village community - - - - - - Reg.5,1872,ss.1,3(am. Reg.3,1892, s.2).

individual - - - - - - - - „ s.7.

Powers for preventing erection of new villages, towers, etc., and for removal of villages or persons - - - - - - „ ss.2,4(am. Reg.3,1892, s.2),5.

Tender of pardon - - - - - - - - „ s.8(am.Reg.3, 1892,s.2),

Penalties - - - - - - - - - „ s.9.

Powers of arrest - - - - - - - - Reg.3,1892,section19.

Security for good behaviour - - - - - - - „ ss.20to27.

Register of cases - - - - - - - - Reg.5,1872,s.10.

FRONTIER—*cont.*

F.—SINDH—*cont.*

Crimes—*cont.*

Repeal of Indian Penal and Criminal Procedure Codes, so far as they are inconsistent with Reg. 5, 1872 - - - - Reg.5,1872,s.11.

Application of provisions of Indian Penal Code respecting fines and imprisonment - - - - - - - - Reg.3,1892,s.28.

FUGITIVE OFFENDERS ACT, 1881 - - - - - - 44-5V.c.69.

FUGITIVE OFFENDER.

(*a*) *Return of Fugitives.*

Apprehension and return or discharge of person accused of offence in one part of Her Majesty's dominions, and found in another part 44-5V.c.69,ss.2to10.

Right to *habeas corpus* - - - - - - ,, s.5.

Offences to which Act applies - - - - - - ,, s.9.

Jurisdiction of magistrates as to hearing and committal - - ,, s.30.

(*b*) *Inter-colonial backing of Warrants, etc.*

Application of provisions to groups of British Possessions, by Order in Council - - - - - - - - - - ,, s.12.

Backing in one possession of warrant for apprehension of person accused of offence in another; provisional warrant; return or discharge of person apprehended - - - - - ,, ss.13,14,16. to19.

Endorsement in one possession of summons, etc., to witness on charge of offence punishable in another - - - - - s.15.

(*c*) *Trial, etc., of Offences.*

Trial, etc., of offences committed on or near boundary of adjoining British Possessions - - - - - - ,, s.20.

Trial of offences on journey or inland voyage through or on boundary of British Possession - - - - - - ,, s.21.

Trial for false swearing or false evidence under Act - - - ,, s.22.

Supplemental provisions as to trial and punishment - - - ,, s.23.

Issue of warrants for search of stolen goods, etc. - - - ,, s.24.

Legal custody of person removed by sea from British Possession - ,, s.25.

(*d*) *Supplemental Provisions.*

Endorsement and execution of warrants - - - - - ,, s.26.

Conveyance of fugitives, prisoners, and witnesses by sea - - ,, s.27.

Retaking escaped prisoners; trial of offence of escape, etc. - - ,, ss.25,28.

Taking depositions in absence of accused - - - - Authentication of warrants, depositions, etc., and admission in evidence of depositions, etc., except at trial - - - ,, s.29.

Order in Council for purposes of Act - - - - ,, ss.31,32.

Power of legislature of British Possession to pass laws for carrying Act into effect - - - - - - - - ,, s.32.

Application of Act to offences triable in more than one part of Her Majesty's dominions; to convicts, and persons in custody; and to places out of Her Majesty's dominions where Her Majesty has jurisdiction, etc. - - - - - - - ,, ss.33to36.

Detention of persons arrested under Act of 1881 - - - Act21,1879,s.17A(ad. Act5.1896,s.6).

FUNDS.
Annuity funds of Indian Civil Service. *See* GOVERNMENT OF INDIA, 2 (*d*).
Cantonment Fund. *See* CANTONMENT, 3.
District Fund:
Ajmere. *See* LOCAL SELF-GOVERNMENT, II, 5.
Bengal. „ „ „ „ III, 5.
C. P. „ „ „ „ V, 5.
Mad. „ „ „ „ VI, 5.
N.-W. P. & Oudh. „ „ „ „ VII, 5.
Punjab. „ „ „ „ VIII, 5.
District Road Fund. *See* LOCAL RATES AND CESSES, B, 4.
Hackney-carriage Fund, Bengal. *See* HACKNEY-CARRIAGE, II, 2.
Inland Labour Transport Fund - - - - - { Act I, 1882, s. 192 (am. Act 7, 1893, s. 36).
Local Fund, Bombay. *See* LOCAL SELF-GOVERNMENT, IV, 5.
Municipal Funds:
Aj., L. B., C. P. *See* MUNICIPALITY, II, 4.
U. B. „ „ III, 4.
As. „ „ IV, 4; V, 4.
Ben. Districts. „ „ V, 4.
Cal. „ „ VI, 4.
Bom. Districts. „ „ VII, 4.
„ City. „ „ VIII, 4.
Coorg & N.-W. P. „ „ IX, 4.
N.-W. P. & Oudh. „ „ X, 4.
Mad. Districts. „ „ XII, 4.
„ City. „ „ XIII, 4.
Punjab. „ „ XIV, 4.
Patwari Fund. *See* PATWARIS, I, III.
Police Funds:
See OUDH, 5; POLICE, I, A, 2; D, 1; E, 2; G, 2, H, 2; J, 2; II, A, 4; B, 3, 4; F, 2.
Port Funds:
Generally. *See* PORT, I, 5.
Aden. *See* PORT COMMISSIONERS OR TRUSTEES, II, 4.
Bombay. „ „ „ „ „ III, 4.
Calcutta. „ „ „ „ „ IV, 4.
Chittagong. „ „ „ „ „ V, 4.
Karachi. „ „ „ „ „ VI, 4.
Madras. „ „ „ „ „ VII, 4.
Rangoon. „ „ „ „ „ VIII, 4.
Station Fund, Assam. *See* MUNICIPALITY, IV, C.
Taluq Fund, Madras. *See* LOCAL SELF-GOVERNMENT, VI, 5.
Union Fund:
Bengal. *See* LOCAL SELF-GOVERNMENT, III, 5.
Assam. *See* MUNICIPALITY, IV, B.
Village-service Fund, Madras. *See* VILLAGE, F, 1 (*a*).
See also ELDERS WIDOWS' FUND; PROVIDENT FUND.

GAMBLING. *See* GAMING.

GAME AND FISH PRESERVATION ACT (NILGIRIS), 1879. (*See* FISHERY, 5; GAME) - - - - - - Mad. Act 2, 1879.

GAME.
Act 20, 1887, extends to whole of British India - - - Act 20, 1887, s. 1.

GAME—*cont.*
Definition of "wild bird" - - - - - - Act20,1887,ss.2(3),3(a).
Power to make rules prohibiting possession or sale of wild bird in municipality or cantonment during breeding season, or importation into municipality or cantonment of plumage of wild bird during breeding-season; penalties for breach of rules - - - " s.3.
Power of Local Government to apply s. 3 to animals of game - " s.4.
Nilgiris District:
Definition of "game" - - - - - - Mad.Act2,1879,s.2.
Power to fix close season - - - - - " s.3.
" to take special measures for protection of other than indigenous game - - - - - " s.4.
Penalty for breach of orders under s. 3 or s. 4; arrest; procedure; rewards to informers - - - - - - " ss.6to9.
GAMING ACT (BURMA), 1884 - - - - - - Act16,1884.
GAMING.[1]
1856. Act 13, ss. 53, 64 (Police, Bombay City).
1857. Act 21, ss. 10 to 15 (Howrah).
1865. Bom. Act 3 (Contracts).
1866. Ben. Act 4, ss. 3, 44 to 51 (Police, Calcutta).
1867. Act 3 (Gaming, Ajmere, etc.).
" Ben. Act 2 (Gaming, Bengal).
1872. Act 9, s. 30 (Contracts).
1874. Act 14, s. 10 (Extension of Act 3, 1867).
1881. Act 13, s. 3, Sch. (Fort William).
1884. Act 16 (Gaming, Burma).
1887. Bom. Act 4 (Gaming, Bombay Presidency).
1888. Mad. Act 3, ss. 3, 23, 42 to 51, 72 (Police, Madras City).
1889. Mad. Act 3, ss. 1, 3, 6 to 9 (Towns, Madras).
1890. Bom. Act 4, s. 61 (i) (Police, Bombay Districts).
1. Preliminary.
2. Common Gaming-house.
3. Streets and Public Places.
4. Miscellaneous and Local.

1. Preliminary.

Power to extend Act 3, 1867, to towns, etc. - - - - Act3,1867,s.2. (Bu.)Act16,1884,s.4.
" " Ben. Act 2, 1867, to towns, etc. - - - Ben.Act2,1867,s.2.
" " Bom. Act 4, 1887, to local areas - - - Bom.Act4,1887,s.1.
General application of certain sections of Act 3, 1867 - - Act3,1867,s.2.
" " " " Ben. Act 2, 1867 - - Ben.Act2,1867,s.16.
Act 3, 1867, declared in force in certain railway lands - - Act14,1874,s.10.
Mad. Act 3, 1889, ss. 3 and 6 to 9, extend to municipal towns, and may be extended to other provincial areas by notification - - Mad.Act3,1889,s.1(2).
Definition of "common gaming-house" (*P. T. O.*) - - - Act21,1857,s.59(am.Ben. Act3,1897,s.3). Act3,1867,s.1. (Bu.)Act16,1884,s.2. Ben.Act4,1866,s.3(am. Pen.Act3,1897,s.2).

[1] Act 3, 1867, is applicable to towns, etc., in Ajmere, Assam, British Baluchistan, Burma, the Central Provinces, Coorg, the North-Western Provinces, Oudh, and the Punjab. It has been declared in force—
in the Arakan Hill District (with a modification), by Reg. 9, 1874, s. 3.
in Upper Burma generally (except the Shan States), by Act 20, 1886, s. 6, and
in British Baluchistan, by Reg. 1, 1890, s. 3.
Act 16, 1884, has been declared in force in Upper Burma generally (except the Shan States) by Act 20, 1886, s. 6.
Ben. Act 4, 1866, applies to Calcutta, and Ben. Act 2, 1867, may be applied to any town, etc., in Bengal except Calcutta.
Ben. Act 2, 1867, has been declared in force in the Santhál Parganas by Reg. 3, 1872, s. 3 (am. Reg. 3, 1886).
Bom. Act 4, 1887, applies to the City of Bombay, the Island of Salsette, and railway station-houses and environs thereof, and may be extended to any local area in the Presidency.
Mad. Act 3, 1888, applies to the City of Madras.

GAMING—*cont.*

1. Preliminary—*cont.*

Definition of "common gaming-house"—(*cont.*) - - - Ben.Act2,1867,s.1(am. Ben.Act3,1897,s.4). Bom.Act4,1887,s.3. Mad.Act3,1888,s.3.

"Gaming" includes rain-gambling - - - - - Act21,1857,s.59 (am. Ben.Act4,1866, s.3 Ben. Act3. Ben.Act2,1867, s.1 1897).

" " wagering - - - - - Bom.Act4,1887,s.3(am. Bom.Act1,1890).

Definition of "instruments of gaming" - - - - Act21,1857,s.59 (am. Ben.Act4,1866, s.3 Ben. Act3. Ben.Act2,1867, s.1 1897). Bom.Act4,1887,s.3(am. Bom.Act1,1890).

2. Common Gaming-house.

Penalty for owning, keeping, having charge of, assisting in carrying on business of, or being found in - - - - - - (Howrah)Act21,1857,ss. 10,11. Act3,1867,ss.3,4. Ben.Act4,1866,ss.44,45. Ben.Act2,1867,ss.3,4. Bom.Act4,1887,ss.4,5. Mad.Act3,1888,ss.45,46. Mad.Act3,1889,ss.6,7.

Powers of entry, search and arrest - - - - - (Howrah)Act21,1857,s.12. Act3,1867,s.5. (Bu.)Act16,1884,s.5. Ben.Act4,1866,s.46. Ben.Act2,1867,s.5. Bom.Act4,1887,s.6. Mad.Act3,1888,ss.23,42. Mad.Act3,1889,ss.8,9.

Finding of cards, etc., to be evidence that place is used as - - Act3,1867,s.6. Ben.Act4,1866,s.47. Ben.Act2,1867,s.6. Bom.Act4,1887,s.7. Mad.Act3,1888,s.43.

Penalty on person arrested not giving name or address - - Act3,1867,s.7. Ben.Act2,1867,s.7.

Destruction of instruments of gaming, etc. - - - - (Howrah)Act21,1857,s.13. Act3,1867,s.8. Ben.Act4,1866,s.48. Ben.Act2,1867,s.8. Bom.Act4,1887,s.8. Mad.Act3,1888,s.47.

GAMING—*cont.*

2. Common Gaming-house—*cont.*

Proof of playing for stakes unnecessary - - - - Act3,1867,s.9 Ben.Act4,1866,s.49 Ben.Act2,1867,s.9 Bom.Act4,1887,s.9· Mad.Act3,1888,s.44·

Examination and indemnification of witnesses - - - Act3,1867,ss.10,11· Ben.Act4,1866,s.50· Bom.Act4,1887,s.10· Mad.Act3,1888,s.48.

Saving of games of mere skill - - - - - Act3,1867,s.12. Ben.Act2,1867,s.10· BomAct4,1887,s.13· Mad.Act3,1888,s.49·

3. Streets and Public Places.

Gaming, or setting birds or animals to fight: arrest; penalty - (Howrah)Act21,1857,s15. Act3,1867,s.13(am.in Burma,Act16. 1884,s.6). Ben.Act2,1867,s.11. Bom.Act4,1887,s.12. (Bo.Town)Act13,1856,s. 53. Bom.Act4,1890,s.61(*i*). Mad.Act3,1888,s.72. Mad.Act3,1889,s.3.

4. Miscellaneous and Local.

Jurisdiction; penalty on second conviction; recovery and application of fines - - - - - - - - - Act3,1867,ss.14,15,17. Ben.Act2,1867,ss.12to14.

Rewards to informers - - - - - - (Howrah)Act21,1857,s.14. Act3,1867,s.16. Ben.Act4,1866,s.51. Bom.Act4,1887,s.11. Mad.Act3,1888,s.50·

Application of definition of "offence" in Indian Penal Code - Ben.Act2,1867,s.15·

Repeal of ss. 25 to 30 of Ben. Act 2, 1866, on extension of Ben. Act 2, 1867, to suburbs of Calcutta - - - - - - Ben.Act2,1867,s.17.

Application of Act 3, 1867, to the game of "*ti*" - - - (Bu.)Act16,1884,s.2.

Penalty for conducting game of "*ti*"; arrest for soliciting or collecting stakes therefor; power to require security for good behaviour from person living by carrying on game of "*ti*" - - - „ „ ss.3,7,8.

Penalty for cheating at games - - - - - (Bo.City)Act13,1856,s.64. Mad.Act3,1888,s.51.

Power to make rules for punishment of gaming in Fort William - Act13,1881,s.3,Sch.,cl. (16).

Penalty for permitting gaming in place of public resort or entertainment - - - - - - - - - (Bo.Town)Act13,1856, s.53.

Contracts as to gaming or wagering void - - - - - Act9,1872,s.30. Bom.Act3,1865,ss.1to3.

GANGES.

Definitions	(N.)Act1,1867,section1.
Toll to be levied on certain steamers, flats and boats	,, s.2.
Power to reduce and again raise tolls	,, s.13.
Measurement of burden for purpose of levying tolls	,, ss.3,10,13
Collection of tolls	,, ss.5to10.
Penalties for evasion of toll, etc.	,, s.11.
Reference to Magistrate of disputes as to tolls	,, s.12.
Tolls to be applied in improving navigation between Allahabad and Dinapur	,, s.4.
Power to prohibit construction of bandhels, etc., likely to cause obstruction to navigation	,, s.14.
Penalty for causing obstruction to navigation	,, s.15.
Power of Local Government to make rules as to navigation, etc.	,, s.16.
Recovery and disposal of fines under Act	,, s.17.

GANJAM AND VIZAGAPATAM DISTRICTS (certain tracts in).

Tracts detailed	Act 24, 1839, section 2.
Power of Local Government to alter limits of tracts	,, s.8(pt.rep.Mad. Act1,1865).
Some of the tracts are Scheduled Districts	Act14,1874,s.1,Sch.I,Pt.I, Nos.IandII(am. and pt.rep.Act 12,1891). Act 15, 1874, s. 2, Sch.VI, Pt.I,Nos.IandII (am.andpt.rep. Act12,1891).
Rules for administration of civil and criminal justice and collection of revenue repealed in	Act24,1839,section2.
Administration of civil and criminal justice, superintendence of police, and collection of revenues vested in Collectors as Agents to the Governor; power of Government to make rules	,, ss.3,4.
Jurisdiction of High Court	,, ss.5,6.
Commitments by Agents under Mad. Reg. 2, 1819 (State Prisoners)	,, s.7.
Act 3, 1873 (Civil Courts), does not extend to	Act3,1873,s.1.

GARO HILLS REGULATION, 1882. (*See* FRONTIER, A, 3) — Reg.1,1882.

GAS COMPANY.

Bom. Act 5, 1863, applies to the Bombay Gas Company and the Town and Suburbs of Bombay	Bom.Act5,1863,ss.1,etc.
,, ,, ,, may be extended by order to other Gas Companies and places	,, s.27.
Definitions	,, s.28.
Powers of Company as to breaking up streets, etc., and entering lands, etc., for purpose of laying down and removing pipes, etc.	,, ss.1to5,10.
Penalty on Company for breaking up street, etc., without notice, etc.	,, s.6.
Power to reinstate street, etc., in default of Company and recover cost from it	,, s.7(am.Act 16,1895).
Powers of Company as to entry for ascertaining quantity of gas consumed	,, s.8.
,, ,, for recovery of gas rents	,, s.9.
Meters, etc., not liable to distraint for rent, etc.	,, s.11.

GAS COMPANY—*cont.*
Penalties for fraudulent use of gas, or damaging property of - Bom.Act5,1863,ss.12to14.
Penalty and enquiry in case of fouling of water, etc., by; expenses of enquiry - - - - - - - - „ ss.15to20.
Act not to affect liability of, for nuisance, or liability to other legal proceedings - - - - - - - - „ s.21.
Copies of memorandum of association and other documents relating to, to be kept open to inspection, etc.; certified copies to be evidence - „ s.22.
Service of process and notices on - - - - - - „ s.23.
Recovery of fines, etc. - - - - - - - „ ss.24to26.

GAZETTE.
Definitions of. *See* WORDS AND PHRASES.
Act 31, 1863, declared in force throughout British India, except as regards the Scheduled Districts - - - - - Act15,1874,s.3.
Publication in Gazette of India to be a sufficient compliance with law directing publication in official Gazette - - - Act31,1863.

GENERAL CLAUSES ACT, 1897. (*See* ACTS AND REGULATIONS) - Act10,1897.
„ „ „ (BOMBAY), 1886. - Bom.Act3,1886.
„ „ „ (MADRAS), 1867. - Mad.Act1,1867.
„ „ „ „ 1891. - Mad.Act1,1891.
„ „ „ (N.-W. PROVINCES AND OUDH), 1887. - N.&O.Act1,1887.

GHATWALI MAHALS, BEERBHOOM. *See* LANDLORD AND TENANT, III, B; LAND-REVENUE, IV, 5.

GIFT.
Definition of "gift," "donor" and "donee" - - - - Act 4, 1882, section123.
Registered instrument required for gift of immoveable property - Gift of moveable property may be made by registered instrument or by delivery - - - - - - - - „ s.123.
Act 4, 1882, s. 123:
Power to exempt territory from operation of - - - Not to apply to territory excluded from operation of Registration Act, 1877 - - - - - - „ s.1(am.Act3, 1885,ss.1,2).
Extended to all cantonments - - - - - Act13,1889,s.32.
Void in certain cases - - - - - - - Act4,1882,ss.122,124,125.
Suspension and revocation of - - - - - „ s.126.
Onerous - - - - - - - - „ s.127.
Universal donee how far liable for debts of donor - - - „ s.128.
In contemplation of death - - - - - - Act10,1865,s.178.
See also TRANSFER OF PROPERTY, A.

GLANDERS AND FARCY ACT, 1879. (*See* ANIMAL, A) - - - Act20,1879.

GOALPARA DISTRICT. *See* EASTERN DVARS.

GODAVERI DISTRICT.
Certain parts of, are a Scheduled District - - - - Act14,1874,s.1,Sch.I, Pt.I,No.III. Act15,1874,s.2,Sch.VI, Pt.I,No.III.

GOOD FAITH defined. *See* WORDS AND PHRASES.

GOVERNMENT; definitions of. *See* WORDS AND PHRASES.

GOVERNMENT MANAGEMENT OF PRIVATE ESTATES ACT, 1892. (*See* RATE AND CHARGES) - - - - - -	Act10,1892.
GOVERNMENT OF INDIA ACT, 1800[1] - - - -	39-40G.3,c.79.
„ „ „ 1833[1] - - - -	3-4W.4,c.85.
„ „ „ 1853[1] - - - -	16-7V.c.95.
„ „ „ 1854[1] - - - -	17-8V.c.77.
„ „ „ 1858[1] - - - -	21-2V,c.106.
„ „ „ 1859[1] - - - -	22-3V.c.41.
„ „ „ 1865[1] - - - -	28-9V.c.17.
„ „ „ 1869[1] - - - -	32-3V.c.97.
„ „ „ 1870[1] - - - -	33-4V.c.3.

GOVERNMENT OF INDIA.

1770. 10 G. 3, c. 47, s. 4 (Crim. Proceedings).
1772-3. 13 G. 3, c. 63 (East India Company; Government, etc.).
1780-1. 21 G. 3, c. 70 (East India Company; Administration of Justice).
1786. 26 G. 3, c. 62[2], ss. 1 to 3 (East India Company, Money).
1787-8. 28 G. 3, c. 29[2] (East India Company, Money).
1789. 29 G. 3, c. 65[2], ss. 1, 2 (East India Company, Money).
1790-1. 31 G. 3, c. 11[2] (East India Company, Money).
1792-3. 33 G. 3, c. 47[2] (East India Company, Money).
„ 33 G. 3, c. 52 (East India Company; Government, etc.).
1793. Ben. Reg. 38 (Loans by Members of Indian Civil Service).
1794. 34 G. 3, c. 41[2] (East India Company, Money).
1799-1800. 39-40 G. 3, c. 79 (East India Company; Government, etc.).
1802. Mad. Reg. 19 (Loans by Members of Indian Civil Service).
1811. 51 G. 3, c. 64[2], s. 4 (East India Company; Transfer of Bonds).
1812-3. 53 G. 3, c. 155 (East India Company; Government, etc.).
1814-5. 55 G. 3, c. 84 (Presidency-towns).
1823. Ben. Reg. 7 (Loans to Members of Indian Civil Service).
1826. 7 G. 4, c. 56 (East India Company; Salaries).
1833. 3-4 W. 4, c. 85 (East India Company; Government, etc.).
1835. 5-6 W. 4, c. 52, s. 2 (East India Company; Government).
„ 5-6 W. 4, c. 62, s. 2 (Statutory Declarations).
1837. 7 W. 4 & 1 V. c. 47 (East India Company; Salaries).
1850. Act 5 (Coasting Trade).
1852-3. 16-7 V. c. 95 (East India Company; Government, etc).
„ 16-7 V. c. 107, s. 329 (Coasting Trade).
1854. 17-8 V. c. 77 (East India Company; Government).
1857-8. 21-2 V. c. 3[2] (East India Company Money).
„ 21-2 V. c. 106 (East India Company; Transfer of Government to Crown, etc.).
1859. 22-3 V. c. 41 (Contracts, etc.).
1860. 23-4 V. c. 89 (Superannuation).
1861. 24-5 V. c. 54 (Civil Service).
„ 24-5 V. c. 67[3] (Government; Councils).
„ 24-5 V. c. 104, ss. 9, 11 (High Courts).
1863. 26-7 V. c. 73, s. 16 (Stock).
1865. 28-9 V. c. 15, ss. 4, 6 (Powers of Crown).
„ 28-9 V. c. 17 (Government).
1866. 29-30 V. c. 115 (Straits Settlements).
„ Ben. Act 3 } (Witnesses before Legis-
„ Bom. Act 13 } lative Council).
1869. 32-3 V. c. 97 (Government).
„ 32-3 V. c. 98 (Government).
1870. 33-4 V. c. 3 (Government).
„ 33-4 V. c. 59, s. 2 (Contracts, etc.).
1871. 34-5 V. c. 34, ss. 1, 3 (Government).
1872. Reg. 3, s. 3 (Laws, Santhál Parganas).
1874. 37-8 V. c. 12 (Civil Service Annuity Funds Transfer).

[1] This short title was given by 59 & 60 Vict. c. 14.
[2] Collective title ["East India Company (Money) Acts, 1786 to 1858"] given by 59 & 60 Vict. c. 14.
[3] Collective title ("Indian Councils Acts, 1861 and 1892") given by 55 & 56 Vict. c. 14.

GOVERNMENT OF INDIA—*cont.*

1874. 37-8 V. c. 91 (Council of Governor General).
„ Act 15, ss. 4, 6, 7 (Laws Local Extent).
1876. 39-40 V. c. 7 (Council of India).
„ 39-40 V. c. 10 (Royal Titles).
„ 39-40 V. c. 46, ss. 2, 5 (Slave Trade, etc.).
1880. 42-3 V. c. 3 (Salaries).
1881. 44-5 V. c. 63 (Pensions).
1882. 45-6 V. c. 45 (Bombay Civil Fund, etc.).
1889. 52-3 V. c. 65 (Council).
1892. 55-6 V. c. 14[2] (Councils).
„ 55-6 V. c. 40 (Pensions).
1894. 57-8 V. c. 60, s. 736 (Coasting Trade).
1897. Act 5, s. 4 (Short Titles).

1. East India Company.[3]
2. Present Government.
3. Miscellaneous Provisions.

1. East India Company.[3]

Formation, privileges, government, etc., of Company	13G.3,c.63. 21G.3,c.70. 33G.3,c.52. 39-40G.3,c.79. 53G.3,c.155. 3-4W.4,c.85. 16-7V.c.95.
Raising of capital and loans by Company	26G.3,c.62,ss.1to3. 28G.3,c.29. 29G.3,c.65,ss.1,2. 31G.3,c.11. 33G.3,c.47. 34G.3,c.41. 21-2V.c.3.
Bonds of Company, transferable by delivery	51G.3,c.64,s.4.
Property of Company, except dividend on capital stock, to be held in trust for Crown	3-4W.4,c.85,s.1.
Cesser of Powers of Company in relation to Government	21-2V.c.106,s.1.
Release of Company from existing obligations on transfer of Government to Crown	„ s.71.

2. Present Government.

"British India," "India;" meaning of—
in Acts of Parliament. *See* ACTS OF PARLIAMENT, 2.
in Acts and Regulations of the Governor General in Council. *See* ACTS AND REGULATIONS, 2 (*a*).

Extension of 3 & 4 Will. 4, c. 85, 16 & 17 Vict. c. 95, and 24 & 25 Vict. c. 67, s. 22, to after-acquired territory	5-6V.c.14,s.3.

(*a*) *Home Government.*

Transfer to Crown of territories, government, property, officers, etc.	21-2V.c.106,ss.1,2,39,58, 64.
Treaties made by Company to be binding on Crown	„ s.67.
Admissions to service not specially provided for vested in Crown	„ s.33.
Power of Crown to remove person holding civil or military office	3-4W.4,c.85,ss.74,75.
„ „ to assent to or disallow law, regulation, order, etc., made by Governor General, Governor of Presidency, etc., in Council	24-5V.c.67,ss.20,21,41, 48,49. 28-9V.c.15,s.4. 28-9V.c.17,s.5.

[2] Collective title ("Indian Councils Acts, 1861 and 1892") given by 55 & 56 Vict. c. 14.
[3] The East India Company was dissolved by 36 & 37 Vict. c. 17, s. 36 (rep. Stat. Law Rev. Act, 1863).

GOVERNMENT OF INDIA—*cont.*

2. Present Government—*cont.*

(*a*) *Home Government*—cont.

Recognition of transfer of government by addition to titles of Crown — 39-40V.c.10.
Saving of rights of Crown — 24-5V.c.67,s.52.
Secretary of State [*see also below*, (*b*)]:
Transfer to, of powers formerly exercised by Company or Board of Control — 21-2V.c.106,section3.
Salary of, and of Under-Secretary — „ s.6.
To be President of Council, with power to appoint Vice-President — „ s.21.
Power of, to divide Council into committees — „ s.20.
„ where difference of opinion in Council — „ ss.23,25.
„ to act without Council in cases of urgency or secrecy — „ ss.26to28.
„ to dismiss officers and servants — 3-4W.4,c.85,s.75. 21-2V.c.106,s.3.
Signing of documents by — „ ss.3,1. 26-7V.c.73,s.16.
Council of India:
Establishment of, supply of vacancies in, qualifications for, tenure of office in, salaries and pensions of members of — 21-2V.c.106,ss.7,10to13. 32-3V.c.97. 39-40V.c.7.
Duties of, under direction of Secretary of State — 21-2V.c.106,s.19.
Division of, into committees, by Secretary of State — „ s.20.
Secretary of State to be President of; appointment of Vice-President of — „ s.21.
Meetings, quorum, and proceedings of — „ ss.22to25.
Reduction of number of — 52-3V.c.65.
Secretary of State in Council [*see also below*, (*b*), (*d*)]:
Appointment, removal, superannuation, etc., of members of establishment of — 53G.3,c.155,ss.93,94. 21-2V.c.106,ss.15,16,18. 23-4V.c.89.
Power of, to make regulations as to patronage, etc., in India — 3-4W.4,c.85,s.78. 21-2V.c.106,s.30.
„ „ „ as to admission to service, etc. — „ s.37.
„ to deal with property transferred to Crown, and to make contracts — „ s.40. 22-3V.c.41.
„ to give to and withdraw from Governor in Council, etc., power to propose regulations for parts of his Presidency, etc. — 33-4V.c.3,s.1.
„ to fix certain allowances and salaries — 43V.c.3.
Saving of powers of — 24-5V.c.67,s.52.
Communication to, of removals from office in India by Crown — 21-2V.c.106,s.38.
Application to, of Acts, etc., referring to Company — „ s.64.
Contracts of Company binding on — „ ss.67,68.
May sue and be sued — „ s.65.
Pensions in respect of service in India Office — 23-4V.c.89. 44-5V.c.63. 55-6V.c.40.

See also FINANCE; RAILWAY, 10.

(*b*) *Governor General, and Council of Governor General* [*see also below*, (*c*), 3].

Governor General:
Appointment of, by Crown — 21-2V.c.106,s.29.

GOVERNMENT OF INDIA— *cont.*

2. Present Government—*cont.*

(*b*) *Governor General, and Council of Governor General*—cont.

Governor General—*cont.* :

Salary and allowances of - - - - - - 3-4W.4,c.85,ss.76,77,79. 43V.c.3.
Resignation of, what deemed to be - - - - 3-4W.4,c.85,s.79.
Disobedience of orders or breach of duty by, a misdemeanour - „ s.80.
Provisional appointment to office of - - - - - „ s.61.
Temporary provision in case of vacancy in office of - - „ s.62. 24-5V.c.67,ss.50,51.
Application to, of provisions relating to Governor General of Fort William - - - - - - - 3-4W.4,c.85,s.52.
No longer to be Governor of Presidency of Fort William - 17-8V.c.77,s.5.
Exercise by, of powers of Governor General in Council, in certain cases - - - - - - - - 21-2V.c.106,s.63. 24-5V.c.67,ss.6,51.
Power of, to make rules for conduct of business of Council - 24-5V.c.67,s.8. 37-8V.c.91,s.3.
Assent of, required for validity of laws and regulations, etc. - 24-5V.c.67,ss.18,20,40,48 33-4V.c.3,s.1.
Power of, in case of emergency to make ordinances - - 24-5V.c.67,s.23.
„ to constitute new provinces - - - - - „ s.46.
„ to act in opposition to Council in certain cases - 33-4V.c.3,s.5. 37-8V.c.91,s.3.
Provisions in case of absence of, from meeting of Council - 24-5V.c.67,s.7.

Council of Governor General :

Appointment, salaries, etc., of ordinary members, and composition, style, etc., of - - - - - - 3-4W.4,c.85,ss.76,77,79. 21-2V.c.106,s.7. 24-5V.c.67,ss.3to5,26. 32-3V.c.97,s.8. 37-8V.c.91. 43V.c.3.
Member of, for public works - - - - - - 37-8V.c.91.
Provisional appointment to - - - - - - 3-4W.4,c.85,s.61.
Disobedience of orders or breach of duty by member of, a misdemeanour - - - - - - - „ s.80.
Appointment and powers of temporary President of - - 24-5 V. c. 67, section 6.
Meetings and proceedings of - - - - - - „ ss.9,15,17,18,53.
Quorum at meetings of - - - - - - - 3-4W.4,c.85,s.48. 24-5V.c.67,s.15.
Additional members of, for making laws and regulations - 24-5V.c.67,ss.9to12,14. 33-4V.c.3,s.3. 55-6V.c.14,ss.1,4.
Business at meetings of, for making laws and regulations - 24-5V.c.67,ss.18,19. 55-6V.c.14,s.2.
Saving of enactments relating to - - - - - - 24-5V.c.67,s.2.

Governor General in Council :

Control of civil and military government of India vested in - 3-4W.4,c.85,s.39.
Application to, of provisions relating to Governor General of Fort William in Council - - - - - - „ s.52.
Transfer to, of certain powers for government of Fort William - 17-8V.c.77,s.5.

GOVERNMENT OF INDIA—*cont.*

2. Present Government—*cont.*

(*b*) *Governor General, and Council of Governor General*—cont.

Governor General in Council—*cont.*:

Control of Presidencies by - - - - - 3-4W.4,c.85,s.65.

Power of, with sanction of Crown, to extend to Bengal, North-West Provinces and Punjab powers of making laws and regulations - - - - 24-5V.c.67,ss.44,49.

„ with sanction of Secretary of State, to assume immediate government of any part of territories - 17-8V.c.77,s.3.

„ to appoint territorial limits of Presidencies, etc., subject to control of Secretary of State in Council and Crown - - - - - 24-5V.c.67,ss.47,49. 28-9V.c.17,ss.4,5.

„ to make articles of war - - - - 53G.3,c.155,s.96. 3-4W.4,c.85,section73.

„ as to residence of natural-born British subjects in parts of Indian territory, and acquisition of land - „ ss.84,86. 32-3V.c.98,s.3.

„ to deal with property transferred to Crown, and to make contracts - - - - - 22-3V.c.41. 33-4V.c.59,s.2.

„ to appoint time and place for meeting of Council, and to make rules as to conduct of business at meetings for making laws, etc. - - - - 24-5V.c.67,ss.9,17,18.

Laws and regulations; powers of, for making - - 3-4W.4,c.85,ss.46,84,86,88. 24-5V.c.67,ss.22,24,25. 28-9V.c.17,ss.1,2. 32-3V.c.98,s.1. 39-40V.c.46,s.2.

„ „ validity of - - - - 3-4W.4,c.85,s.45. †24-5V.c.67,ss.20,24,25. 33-4V.c.3,s.2.

„ „ to be laid before Parliament; saving of right of Parliament to legislate for Indian territories - - - 3-4W.4,c.85,s.51.

Approval by, of draft regulations proposed by Governor in Council, Lieutenant-Governor, etc. - - - - - 33-4V.c.3,s.1.

Signing of documents relating to proceedings of - - 33G.3,c.52,s.39. 53G.3,c.155,s.79.

Saving of powers of - - - - - - 24-5V.c.104,ss.9,11. 28-9V.c.15,s.6. 39-40V.c.46,s.5. 55-6V.c.14,s.7.

See also HIGH COURT.

(*c*) *Presidencies, Provinces, etc.*

Power to declare and alter limits of Presidencies, etc. - 3-4W.4,c.85,s.38. 24-5V.c.67,ss.47,49. 28-9V.c.17,ss.4,5.

Provision for dividing Fort William into two Presidencies, and suspension of that provision - - - - - - 3-4W.4,c.85,ss.38,71. 16-7V.c.95,ss.15,19. 17-8V.c.77,s.4.

GOVERNMENT OF INDIA—*cont.*

2. Present Government—*cont.*

(*c*) *Presidencies, Provinces, etc.*—cont.

Creation of Lieutenant-Governorship of North-West Provinces, and continuance during suspension of provision for dividing Presidency of Fort William - 5-6W.4,c.52,s.2. 16-7V.c.95,s.15. 17-8V.c.77,s.4.

Power to create Governorship or Lieutenant Governorship of Bengal - 16-7V.c.95,s.16. 17-8V.c.77,ss.4,5.

„ constitute one new Presidency or Lieutenant-Governorship - 16-7V.c.95,ss.17,19.

„ constitute new provinces - 24-5V.c.67,s.46.

Administration of Presidencies by Governor and Council, or Governor alone, under control of Governor-General in Council - 3-4W.4,c.85,ss.56,57,59, 65,67,68. 16-7V.c.95,s.19. 17-8V.c.77,s.4.

Governor:

Appointment of, by Crown - 21-2V.c.106,s.29.

Salary and allowances of - 3-4W.4,c.85,ss.76,77,79. 43V.c.3.

Resignation of, what deemed to be - 3-4W.4,c.85,s.79.

Disobedience of orders or breach of duty by, a misdemeanour - „ s.80.

Provisional appointment to office of - „ s.61.

Temporary provision in case of vacancy in office of - „ s.63. 24-5V.c.67,s.50.

Power of, to make rules for conduct of business in Council - „ s.28.

Assent of, to laws and regulations - „ s.39.

To act as Governor General during vacancy - „ ss.50,51.

To be extraordinary member of Council of Governor General at meetings within his Presidency - „ s.9.

Control of, by Governor General in Council - 3-4W.4,c.85, section65.

Powers of, not suspended during presence of Governor-General in his Presidency - „ s.67.

To send copies and reports of proceedings, etc., to Governor General in Council - „ s.68.

Council:

Appointment, resignation, salaries, etc., of ordinary members, and composition of - „ ss.56,57,76,77, 79. 24-5V.c.67,s.26. 32-3V.c.97,s.8.

Disobedience of orders or breach of duty by member of, a misdemeanour - 3-4W.4,c.85,s.80.

Provisional appointment to - „ s.61.

Temporary provision in case of vacancy in - 24-5V.c.67,section27.

Proceedings of - „ ss.28,34,36,53.

Additional members of, for making laws and regulations - „ ss.29to31,33. 55-6V.c.14,ss.1,4.

Business at meetings of, for making laws, etc. - 24-5V.c.67,ss.37,38. 55-6V.c.14,s.2.

Power to revoke or suspend appointment of, or reduce number of - 3-4W.4,c.85,s.57.

Saving of enactments relating to - 24-5V.c.67,s.2.

Witnesses before Bombay Legislative Council:

Power of Governor to require any person to attend to give evidence before Council or Committee thereof and to produce documents - Bom.Act13,1866,ss.1,6.

GOVERNMENT OF INDIA—*cont.*

2. Present Government—*cont.*

(c) *Presidencies, Provinces, etc.*—cont.

Council—*cont.*:
Witnesses before Bombay Legislative Council—*cont*:
Administration of oath to - - - - - Bom.Act13, 1866,s.2 (pt.rep.Bom. Act3,1886, s.2).
Warrant for arrest and custody of person refusing to attend or give evidence - - - - - - Bom.Act13, 1866,s.3 (pt.rep.Bom. Act3,1886, s.2).
Payment of expenses of - - - - - Bom.Act13,1866,s.4.
Governor in Council (*see also* JUSTICE OF THE PEACE):
Executive government to be administered by, under Governor General in Council - - - - - - 3-4W.4,c.85,ss.56,65.
To send copies and reports of proceedings, etc., to Governor-General in Council - - - - - - „ s.68.
Powers of, for making laws and regulations - - - 24-5V.c.67,ss.39to43,47. 34-5V.c.34,ss.1,3.
„ for amending laws made by other authorities in India 55-6V.c.14,ss.5,6.
„ to propose draft regulations for part of territory in certain cases - - - - - 33-4V.c.3,s.1.
„ to deal with property transferred to Crown, and to make contracts - - - - - 22-3V.c.41. 33-4V.c.59,s.2.
Signing of documents relating to proceedings of - - 33G.3,c.52,s.39. 53G.3,c.155,s.79.
Saving of existing rights of - - - - - 3-4W.4,c.85,s.56.
Lieutenant-Governor:
Power to appoint, for North-West Provinces - - - 5-6W.4,c.52,s.2.
„ „ for Bengal - - - - - 16-7V.c.95,s.16.
„ „ additional - - - - - „ s.17. 24-5V.c.67,s.46.
Appointment of - - - - - - - 21-2V.c.106,s.29.
Salary of - - - - - - - - 16-7V.c.95,s.35.
Witnesses before Bengal Legislative Council:
Power of Lieutenant-Governor to require any person to attend to give evidence before Council or Committee thereof and to produce documents - - - Ben.Act3,1866, ss.1,6.
Administration of oath or affirmation to - - - - „ s.2.
Warrant for arrest and custody of person refusing to attend or give evidence - - - - - „ s.3.
Payment of expenses of - - - - - „ s.4.
Ben. Act 3, 1866, declared in force in the Santhál Parganas - Reg.3,1872,s.3(am.Reg.3, 1886).
Lieutenant-Governor or Chief Commissioner to be extraordinary member of Council of Governor-General at meetings within his province - 24-5V.c.67,s.9. 33-4V.c.3,s.3.
Power to Lieutenant-Governor, etc., to deal with property transferred to Crown, and to make contracts - - - - - 22-3V.c.41. 33-4V.c.59,s.2.
Extension to Lieutenant-Governorships of powers for making laws and regulations - - - - - - - 24-5V.c.67,ss.44to49. 34-5V.c.34,s.1.
Power to Lieutenant-Governor or Chief Commissioner to propose draft regulations for part of territory in certain cases - - 33-4V.c.3,s.1.

GOVERNMENT OF INDIA—*cont.*

2. Present Government—*cont.*

(*c*) *Presidencies, Provinces, etc.*—cont.

Power to Lieutenant-Governor of Bengal in Council to repeal and amend certain Acts as regards jurisdiction over European British subjects — 34-5V.c.34,s.3.

(*d*) *The Indian Civil Service.*

Regulations as to admission to service; appointment to and qualification for offices; precedence, salaries, etc. — 33G.3,c.52,ss.37,57,70. 53G.3,c.155,ss.82,85,86. 7G.4,c.56. 3-4W.4,c.85,s.79. 7W.4&1V.c.47. 16-7V.c.95,s.32. 21-2V.c.106,ss.30,32, 33,37,38,58,64. 24-5V.c.54.

Collectors to be members of Indian Civil Service; their general duties. *See* LAND-REVENUE, III, B, 1; IV, 2; XIII, 2.

Appointment of natives to offices and employments in Civil Service — 33-4V.c.3,s.6.

Disobedience of orders or breach of duty by civil servant a misdemeanour — 3-4W.4,c.85,s.80.

Transfer to Secretary of State in Council of Civil Service annuity funds, and payment of annuities out of Indian revenues — 37-8V.c.12,ss.2,3.

Transfer to Secretary of State in Council of Provident Branch of Bombay Civil Fund, and power to transfer Bengal and Madras Civil Funds; charge of liabilities on Indian revenues — 45-6V.c.45.

Receipt of gifts by civil servant, or being party to corrupt contract, a misdemeanour — 13G.3,c.63,ss.23to25. 33G.3,c.52,ss.62,63,66. 3-4W.4,c.85,s.76.

Members of, prohibited from lending money to landholders, etc. — Ben.Reg.38,1793,s.2. Mad.Reg.19,1802,s.2.

„ „ „ borrowing money from native officers or other persons — Ben.Reg.7,1823,s.2(*1*),(*2*), s.3(am.Act5, 1897,s.2,Sch. II).

„ all persons prohibited from lending money to, in contravention of Regulation — „ s.4.

„ to report their indebtedness to Local Government in certain cases — „ s.6 (am.Act5, 1897,s 2, Sch II).

Suits for recovering penalties under Ben. Reg. 7, 1823; appeals — „ s.8

Short titles given to Ben. Regs. 38, 1793, and 7, 1823 — Act5,1897,s.4.

Ben. Regs. 38, 1793, s. 2,[1] and 7, 1823,[1] declared in force—

throughout Bengal and the North-Western Provinces, except as regards the Scheduled Districts — Act15,1874,ss.6,7.

in the Santhál Parganas — Reg.3,1872,s.3(am.Reg.3, 1886).

Mad. Reg. 19, 1802, s. 2, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts — Act15,1874,s.4.

[1] These enactments have also been declared in force in Assam (except the North Lushai Hills), by notification under the Scheduled Districts Act, 1874.

GOVERNMENT OF INDIA—*cont.*

3. Miscellaneous Provisions.

Limits of towns of Calcutta, Madras, and Bombay	55G.3,c.84,s.1.
Transfer of St. Helena from East India Company to Crown	3-4W.4,c.85,s.112.
Separation of Straits Settlements from India	29-30V.c.115.
Provisions for regulation of colleges, etc., and for encouragement of schools, etc., for benefit of natives	53G.3,c.155,ss.42,43.
Natives not to be subject to disabilities for religion or race	3-4W.4,c.85,s.87.
Reservation of right of Parliament to legislate for India	„ s.51.
Provisions as to residence of natural-born British subjects in parts of territory, and acquisition of land	„ ss.84,86. 32-3V.c.98,s.3.
Prohibition on Governor General, judges, and persons holding civil or military office receiving gratuities	13G.3,c.63,ss.23to25. 33G.3,c.52,ss.62to64.
Substitution of declarations for oaths under Acts relating to India Board	5-6W.4,c.62,s.2.
5-6 W. 4, c. 62, s. 2, repealed as to British India	Act10,1873.
Regulation of coasting trade	16-7V.c.107,s.329. 57-8V.c.60,s.736. Act5,1850.
Information by principal law officer in cases of revenue, Crown debts, etc.	53G.3,c.155,s.111.
Application of fines, escheated property, etc.	16-7V.c.95,s.27.
Elders Widows' Fund. *See* ELDERS WIDOWS' FUND.	
Powers as to extradition treaties with Indian or other adjoining States not affected by Extradition Acts. *See* EXTRADITION.	
GOVERNMENT SAVINGS BANKS Act, 1873. (*See* BANK)	Act5,1873.
GOVERNMENT SECURITIES.	
Defined	Act13,1886,section3.
Engraving, etc., of signature of Government officer on	„ s.10.
Notice of trust in respect of, not receivable by Government	„ s.4.
Payable to survivor of joint payees	„ s.5.
Holder of, not an indorser if he signs for purpose of negotiation elsewhere than on the back	„ s.6.
Holding or indorsement of, *ex officio*	„ s.7.
Indorser of, not liable for payment	„ s.9.
Issue of renewed and duplicate securities; Government when released from liability in respect of original security	„ ss.11to13.
Transfer and discharge of certificates and coupons issued in connection with Government loan	„ s.8.
Power of Governor General in Council to make rules as to; publication of rules	„ ss.14,15.
Act 13, 1886, declared in force in Upper Burma generally (except the Shan States)	Act20,1886,s.6.
Certain, deemed personal estate in England	23-4V.c.5,s.1.
GOVERNMENT TENANTS (PUNJAB) ACT, 1893. (*See* LANDLORD AND TENANT, XI, B)	Act3,1893.
GOVERNMENT WARDS ACT (CENTRAL PROVINCES), 1885. (*See* COURT OF WARDS)	Act17,1885.
„ „ REGULATION (AJMERE), 1888. (*See* COURT OF WARDS)	Reg.1,1888.

GOVERNOR. *See* GOVERNMENT OF INDIA, 2 (*c*).

GOVERNOR GENERAL, AND GOVERNOR GENERAL IN COUNCIL. *See* GOVERNMENT OF INDIA, 2 (*b*).

GRAIN CARGO. *See* MERCHANT SHIPPING, 1 (*b*), 2 (*g*), 7 (*b*), 11 (*c*).
GRANT OF MONEY OR LAND-REVENUE. *See* PENSION AND GRANTS, ETC.
GRANTEES, OUDH. *See* TALUQDARS AND GRANTEES.
GRAZING. *See* ANIMAL, B, 2; FRONTIER, E, 5.
GUARANTEE, CONTRACT OF. *See* CONTRACT, 5 (*b*).
GUARANTEED RAILWAYS ACT (INDIAN), 1879. (*See* RAILWAY) - 42-3V.c.41.
GUARDIAN defined. *See* WORDS AND PHARSES.
GUARDIANS AND WARDS ACT, 1890 - - - - - - Act8,1890.
GUARDIAN AND WARD.

Preliminary.

Act 8, 1890, extends to whole of British India, including Upper Burma and British Baluchistan - - - - Act8,1890,s.1.
„ „ declared in force in Angul and the Khondmals - - Reg.1,1894,s.3.

1. Appointment and Declaration of Guardians.

Appointment by parents, where minor is European British subject; saving of power to appoint in other cases - - - - Act8,1890,sections5,6.
Appointment or declaration by Court:
Power of Court to make order; procedure - - - „ ss.7to14.
Court may appoint or declare two or more guardians - - „ s.15.
Courts in other districts to give effect to order of Court appointing or declaring guardian - - - - - „ s.16.
Matters to be considered by Court in appointing or declaring guardian - - - - - - - - „ s.17.
Appointment or declaration of Collector *ex officio* - - „ s.18.
Saving of rights of Court of Wards, husbands and fathers - „ s.19.

2. Duties, Rights and Liabilities of Guardians.

(*a*) *Generally.*

Fiduciary relation of guardian to ward - - - - „ s.20.
Actions of account against representatives of guardian - - 4-5A.c.3,s.27.[1]
Minor incompetent to act as guardian, except in certain cases - Act8,1890,s.21.
Remuneration of guardian - - - - - - „ s.22.
Control of Government over Collector as guardian - - - „ s.23.
Consent of guardian to marriage of ward. *See* MARRIAGE, I, 1 (*a*); II, A, 2; II, B, 2, II, E.
Payment of income-tax by guardian. *See* INCOME-TAX, 3.

(*b*) *Guardian of the Person.*

His duties - - - - - - - - - „ s.24.
Court may order and enforce return of ward to guardian - - „ s.25.
Residence of ward with another against will of guardian does not terminate guardianship - - - - - - - - „ s.25(*3*).
Restriction on removal of ward from Court's jurisdiction by guardian - - - - - - - - - - „ s.26.
Apprenticing of wards. *See* APPRENTICE.
Guardianship of children of deceased husband in case of marriage of Hindu widow - - - - - - - - - Act15,1856,s.3.

[1] This section is indexed because it is published in the Collection of Statutes relating to India.

GUARDIAN AND WARD—*cont.*

2. Duties, Rights and Liabilities of Guardians—*cont.*

(*c*) *Guardian of Property.*

His duties - - - - - - - - - Act 8, 1890, section 27.
His powers in regard to mortgaging, charging or transferring ward's property; orders of Court in reference thereto - - - „ ss. 28 to 31.
Guardian appointed or declared by the Court:
Power of Court to define, restrict or extend his powers - - „ s. 32.
His right to apply to Court for opinion in management of ward's property - - - - - - - „ s. 33.
His obligations as to giving bond, delivering statement of property and debts, exhibiting accounts, paying balances into Court and maintenance, education, advancement, etc., of ward - „ s. 34.
Suits against him - - - - - - - „ ss. 35 to 37.

(*d*) *Termination of Guardianship.*

Right of survivorship among joint guardians - - - - „ s. 38.
Removal and discharge of guardian - - - - - „ ss. 39, 40.
Cessation of guardian's authority - - - - - „ s. 41.
Appointment of successor to guardian - - - - „ s. 42.

3. Miscellaneous.

Order by Court for regulating conduct or proceedings of guardian appointed or declared by Court - - - - - „ s. 43.
Penalty on guardian appointed or declared by Court removing ward from jurisdiction - - - - - - „ s. 44.
„ for contumacy - - - - - - - „ s. 45.
Reports to Court by Collectors and Subordinate Courts - - „ s. 46.
Appeal to High Court from orders made under Act - - „ ss. 47, 48.
Special Court to be High Court for purposes of s. 47 of Act 8, 1890, in respect of appeals from order of Judge of Moulmein - - Act 11, 1889, s. 87 (am. Act 12, 1891).
Costs of proceedings under Act - - - - - Act 8, 1890, s. 49.
Power of High Court to make rules for carrying out purposes of Act - „ s. 50.
Applicability of Act to guardians appointed or declared by Court under former law - - - - - - - „ s. 51.

See also COURT OF WARDS; LUNATIC.

GUJARAT TALUQDARS. *See* LAND-REVENUE, VII, C.

GUNPOWDER. *See* EXPLOSIVE, 2.

HABEAS CORPUS ACT, 1679[1] - - - - - - - 31 C. 2, c. 2.
„ „ „ 1862[1] - - - - - - - 25-6 V. c. 20.

HABEAS CORPUS, writ of.
Form of; penalty on disobedience; issue in vacation; return, and proceedings thereon - - - - - - - - 31 C. 2, c. 2, ss. 2 to 4, 9.
Restriction on imprisonment after enlargement by - - - „ s. 5. [2]
Prohibition of removal by, to avoid trial - - - - „ ss. 17, 18. [2]
Issue of, into British Possession having a Court of justice, restrained 25-6 V. c. 20. [2]
Power of High Courts at Calcutta, Madras and Bombay to issue directions of the nature of - - - - - - Act 10, 1882, s. 491.

[1] This short title was given by 59 & 60 Vict. c. 14.
[2] These sections are indexed because they are published in the Collection of Statutes relating to India.

HACKNEY-CARRIAGE ACT, 1879 - - - - - - Act 14, 1879.
" " " (CALCUTTA), 1891 - - - - - Ben. Act 2, 1891.
" " " (MADRAS), 1879 - - - - - Mad. Act 3, 1879.

HACKNEY-CARRIAGE.

1879. Act 14 (Hackney-carriages, Ajmere, etc.).
" Mad. Act 3 (Hackney-carriages, Madras Presidency).
1880. Ben. Act 8, s. 6 (Diseases of animals).
1891. Ben. Act 2 (except ss. 46 to 52) (Hackney-carriages and Palanquins).

GENERALLY - - - - - - .....
I.—AJMERE, ASSAM, BURMA, CENTRAL PROVINCES, COORG, N.-W. PROVINCES, OUDH AND PUNJAB - - - - } 1. Preliminary. 2. Regulation.
II.—BENGAL - - - - - }
III.—MADRAS PRESIDENCY - - - }
IV.—BOMBAY PRESIDENCY - - - - .....

GENERALLY.

Restrictions on use of hackney-carriage by person suffering from infectious disease, and subsequent disinfection of carriage, in municipalities:

Aj., L. B., C. P. *See* MUNICIPALITY, II, 6 (*t*).
Cal. " " VI, 6 (*q*).
Mad. City. " " XIII, 6 (*l*).

I.—AJMERE, ASSAM, BURMA,[1] CENTRAL PROVINCES, COORG, NORTH-WESTERN PROVINCES, OUDH AND PUNJAB.

1. Preliminary.

Definitions - - - - - - - - - Act 14, 1879, section 2.
Power of Local Government to apply Act to municipalities - - " s.3.

2. Regulation.

Power to make rules for regulation and control of hackney-carriages—
in municipality - - - - - - - " ss.3,6.
in cantonment - - - - - - - " s.4 (pt. rep. Act 13, 1889), s.6.
Power to extend such rules to railway-station, part of road, or cantonment not more than six miles from municipality or cantonment - - - - - - - - - " s.5.
Penalty for breach of rules - - - - - - - - " s.7.
Fees and expenses to be credited and debited to Municipal Fund or Cantonment Fund - - - - - - - - " s.8.
Determination by Magistrate of dispute between hirer and owner or driver; hirer may require driver to take him to Court - - " ss.9,10.
Control over hackney-carriages in Coorg and North-Western Provinces Municipalities. *See* MUNICIPALITY, IX, 6.

[1] Act 14, 1879, extends *proprio vigore* to Lower Burma, and has been extended to Upper Burma (except the Shan States) by notification under the Scheduled Districts Act, 1874.

HACKNEY-CARRIAGE—*cont.*

II.—BENGAL.

1. Preliminary.

Ben. Act 2, 1891, applies to—
Calcutta - - - - - - - - - Ben. Act 2, 1891, section 1(3).
towns and places to which Ben. Act 5, 1866, was extended by notification under s. 54 thereof - - - - „ s.2(2).
Ben. Act 2, 1891, may be extended to other towns and places by notification - - - - - - - „ s.1(3).
When Act so extended, persons may be appointed to exercise functions of Commissioners and Chairman of Calcutta Municipality; consequential amendments in Act - - - - - „ s.61.
Power to alter limits of Calcutta; sanction of Governor General in Council required if area to be included is in cantonment - - „ s.4.
Definitions - - - - - - - - - „ s.3.

2. Regulation.

Registration, licensing and numbering of carriages; fee for license; penalties - - - - - - - - „ ss.5 to 15.
Application of hackney-carriage registration fees to meet expenses of hospital for animals - - - - - - Ben. Act 8, 1880, s.6.
Plate to be provided and kept in carriage; penalties - - Ben. Act 2, 1891, ss.16 to 20.
Licensing of drivers; fee for license; driver's ticket; penalties - „ ss.11, 21 to 30.
Fares, hiring and plying for hire; penalties - - - - „ ss.31 to 35, 39 to 41, 43, Sch. I.
Fares when hackney-carriage plies for hire as a stage carriage - „ s.44.
Penalty on driver for drunkenness, misconduct, etc. - - - „ s.36.
„ „ neglecting to attend at premises of owner, so as to prevent owner from letting out carriage - „ s.37.
Proceedings against owner when offence committed by driver - „ s.38.
Determination, by Magistrate or Registering Officer, of dispute between hirer and driver; hirer may require driver to drive to Court or Registering Officer - - - - - „ s.42.
Appointment and regulation of public stands - - - „ s.45.
Making, confirmation and publication of bye-laws; penalty for breach of bye-law - - - - - - - „ ss.53, 54.
Cognizance of offences; procedure; limitation; recovery of fines - „ ss.55, 56.
Damage to property of Commissioners to be made good by convicted person - - - - - - - - „ s.57.
Compensation for groundless prosecution - - - - „ s.58.
Property left in hackney-carriage how to be dealt with - - „ s.59.
Fees and fines to be credited to Hackney-carriage Fund; application of fund - - - - - - - - „ s.60.

III.—MADRAS PRESIDENCY.

1. Preliminary.

Act applies to town of Madras, and may be extended to other towns and places by notification - - - - - Mad. Act 3, 1879, section 1.
When Act so extended, person may be appointed to perform duties of Commissioner of Police - - - - - „ s.50.
Definitions - - - - - - - - - „ s.3

HACKNEY-CARRIAGE—*cont.*

III.—MADRAS PRESIDENCY—*cont.*

2. Regulation.

Registration, licensing and numbering of carriages; fee for license; penalties	Mad. Act 3, 1879	ss. 4 to 15, 17.
Penalty for driving animal not properly secured	„	s. 16.
Licensing of drivers; fee for license; driver's badge; penalties	„	ss. 18 to 30.
Fares, hiring and plying for hire; penalties	„	ss. 31 to 37, 41 to 44.
Penalty on driver or attendant for drunkenness, misconduct, etc.	„	s. 38.
Proceedings against owner when offence committed by driver or attendant	„	s. 39.
Determination by Magistrate of dispute between hirer and driver or attendant; hirer and driver or attendant may require each other to proceed to Court or police-officer	„	s. 40.
Appointment of public stands; board to be affixed	„	s. 45.
Property left in carriage how to be dealt with	„	ss. 46, 47.
Cognizance of offences; recovery of fines, etc.	„	s. 48.
Compensation for frivolous complaint	„	s. 49.

IV.—BOMBAY PRESIDENCY.

See PUBLIC CONVEYANCE.

HAQQS. *See* TAXES.

HARBOUR CRAFT, BOMBAY. *See* MERCHANT SHIPPING, 4.

HARBOUR TRUST ACT (MADRAS), 1885. (*See* PORT COMMISSIONERS)	Mad. Act 2, 1886.
HARBOURING OFFENDERS. *See* CRIMINAL LAW (INDIAN), 4, 5, 9.	
HAZARA SETTLEMENT RULES AMENDMENT REGULATION. (*See* FRONTIER)	Reg. 2, 1874.
HEREDITARY OFFICES ACT (BOMBAY). (*See* VILLAGE)	Bom. Act 3, 1874.
„ VILLAGE OFFICES ACT (MADRAS), 1895. (*See* VILLAGE)	Mad. Act 3, 1895.
HIGH COURTS ACT (INDIAN), 1861[1]	24-5 V. c. 104.
„ „ „ „ 1865[1]	28-9 V. c. 15.
„ „ CRIMINAL PROCEDURE ACT, 1875. [*See* CRIMINAL PROCEDURE (INDIAN), 8 (*6*)]	Act 10, 1875

HIGH COURT.

1772-3. 13 G. 3, c. 63, ss. 13 to 15, 17 (Supreme Court, Bengal).
1780-1. 21 G. 3, c. 70 (Supreme Court, Bengal).
1792-3. 33 G. 3, c. 52, s. 156 (Admiralty jurisdiction).
1796-7. 37 G. 3, c. 142, ss. 2, 11 to 14, 27, 29 (Supreme Courts).
1799-1800. 39-40 G. 3, c. 79, ss. 2, 3, 5, 7 to 9, 20 (Supreme Courts).
1802. Mad. Reg. 5, s. 30 (High Court, Madras).
1812-3. 53 G. 3, c. 155, s. 89 (Salaries).
1823. 4 G. 4, c. 71, ss. 7, 11, 17 (Supreme Courts, Bombay and Madras).
1825. 6 G. 4, c. 85, ss. 4, 5 (Salaries).
1828. 9 G. 4, c. 74, s. 25 (Admiralty jurisdiction).
1839. Act 24 (Ganjam and Vizagapatam).
1848. Act 15 (Officers).
1861. 24-5 V. c. 104 (Constitution, etc., of High Courts).
1865. 28-9 V. c. 15, ss. 3, 4, 6 (Territorial Jurisdiction).
1866. Act 23 (Letters Patent, Bombay).

[1] This short title was given by 50 & 60 Vict. c. 14.

HIGH COURT—*cont.*

1866. Act 25 (Unclaimed Deposits).
1867. Act 19, s. 2 (Jurisdiction in Darjeeling).
1869. Act 13 (Costs; petitions: Allahabad).
1870. Act 5 (Deposits).
1874. Act 15, s. 4 (Laws Local Extent).
1875. Act 10 (Repeal).
1876. 39-40 V. c. 46, s. 3 (Slave Trade; Evidence).
1877. Reg. 1, s. 38 (Ajmere).
1880. 43 Vict. c. 3 (Salaries).
1881. Reg. 2, s. 8 (Coorg).
1891. Act 16 (Admiralty jurisdiction).
1896. Reg. 1, s. 12 (Upper Burma).

Definitions of. *See* WORDS AND PHRASES.

Supreme Courts of Judicature:
Establishment, constitution, jurisdiction, etc., of Supreme Court in Bengal — 13G.3,c.63,ss.13to15,17. 21G.3,c.70. 37G.3,c.142,s.2. 39-40G.3,c.79,s.20.
" " " " " at Madras — 37G.3,c.142,ss.11to14. 27,29. 39-40G.3,c.79,ss.2,3,5,7to9
" " " " " at Bombay — 37G.3,c.142,ss.11to14. 27,29. 4G.4,c.71,ss.7,17.
Salaries, pensions and allowances to Judges of - - - — 39-40G.3,c.79,s.9. 53G.3,c.155,s.89. 4G.4,c.71,s.11. 6G.4,c.85,ss.4,5. 43V.c.3.
Admiralty and prize jurisdiction of - - - - — 13G.3,c.63,s.13. 33G.3,c.52,s.16. 39-40G.3,c.79s.2. 4G.4,c.71,s.7. 9G.4,c.74,s.25.
Exemptions from jurisdiction of - - - - — 13G.3,c.63,ss.15,17. 21G.3,c.70. 37G.3,c.142,ss.11,14.
Prohibition of trading, etc., by officers of - - - — Act15,1848.
High Courts of Judicature:
Constitution, jurisdiction and powers of, etc. - - - — 24V.c.104,ss.2,4to7,9,11. to15,19. 39-40V.c.46,s.3.
Application to, of enactments, etc., relating to Supreme Courts — 24-5V.c.104,s.11.
Power of, to superintend and make rules for subordinate Courts — " s.15.
Power of Governor General in Council to alter local jurisdiction of - - - - - - - - - — 28-9V.c.15,ss.3,4,6.
Power of Crown to establish a High Court in part of territories not within jurisdiction of another High Court - - — 24-5V.c.104,s.16.
Transfer to Government of deposits in, unclaimed for 20 years, except when suit pending - - - - - — Act25,1866,ss.1,3.
Re-payment of such deposits by Government when claim established; costs of petition of claim - - - — " s.4. Act5,1870
Chartered:
Special provisions as to procedure of, in civil matters. *See* CIVIL PROCEDURE, 9.
In Presidency Towns:
Declared to be Colonial Courts of Admiralty - - — Act16,1891,s.2.
Insolvency jurisdiction of. *See* INSOLVENCY, A.

HIGH COURT—*cont.*
High Courts of Judicature—*cont.* :
Allahabad :
Power of, to award and apportion costs - - - Act13,1869,s.3.
Penalty for making false statement in support of petitions, etc. - - - - - - - - - „ s.4.
Act 13, 1869, ss. 3, 4, repealed as to criminal matters - Act10,1875.
Jurisdiction of, in Ajmere. *See* CIVIL COURTS, II, 2.
Bombay :
Clerical errors in cl. 22 of Letters Patent for Bombay High Court, dated 28th December, 1865, corrected - - Act23,1866.
Control by, over subordinate Courts. *See* CIVIL COURTS, VI, 2, 4.
Jurisdiction of, in Aden. *See* ADEN, 2.
Bar to jurisdiction of, in Sindh. *See* SINDH.
Calcutta :
Jurisdiction of, in Darjeeling - - - - Act19,1867,s.2.
Appeal, etc., to, from Court of Recorder of Rangoon. *See* RECORDER OF RANGOON.
Jurisdiction of, in Lower Burma. *See* CIVIL COURTS, VIII, 2 (*a*).
Madras :
Mad. Reg. 5, 1802, s. 30, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts - - - - - - - Act15,1874,s.4.
Where no specific rules laid down, Court to act according to justice, equity and good conscience - - - Mad.Reg.5,1802,s.30.
Subordination of Madras City Civil Court to. *See* CIVIL COURTS, XII, B, 2.
Jurisdiction of, in Ganjam and Vizagapatam - - Act24,1839,ss.5,6.
In Ajmere - - - - - - - - - Reg.1,1877,s.38.
Recorder of Rangoon to be, for certain purposes. *See* RECORDER OF RANGOON.
Special Court, Burma, to be, in certain matters. *See* SPECIAL COURT.
Judicial Commissioner, Upper Burma, to have powers of - - Reg.1,1896,s.12(*I*).
„ „ Coorg, to be - - - - Reg.2,1881,s.8.
Appeals from Indian Courts to Her Majesty in Council. *See* JUDICIAL COMMITTEE, 2.
For further provisions relating to the High Courts, see the appropriate heads.
HIGH-WATER MARK defined. *See* WORDS AND PHRASES.
HIGHWAY ACT (BOMBAY), 1883. (*See* TAXES) - - - Bom.Act1,1883.
HINDU HEIRS' RELIEF ACT (BOMBAY), 1866 - - - Bom.Act7,1866.
HINDU.
Definition of "debts" - - - - - - - Bom.Act7,1866,section7.
Son or grandson not liable as such for debt of deceased Hindu - „ s.1.
Son, grandson or heir liable for debt of deceased Hindu only as representative and only to extent of assets received - „ s.2.
Marriage with Hindu widow does not create liability for debts of her deceased husband - - - - - - - - „ s.4.
Liability of member of undivided family for family-debts contracted during his minority - - - - - - - „ s.5.

HINDU—*cont.*
Liability of surviving member of undivided family for family-debts - - - - - - - - - Bom.Act7,1866,s.6.
Marriage of certain Hindus in Malabar. *See* MARRIAGE, C.
Administration of estate of. *See* ADMINISTRATION OF ESTATES (INDIAN LAW), 2, 3, 6.

HINDU WIDOW.
Sati (burning or burying alive):
Ben. Reg. 17, 1829[1], declared in force—
throughout Bengal and the North-Western Provinces, except as regards the Scheduled Districts - - - - Act15,1874,ss.6,7.
in the Santhál Parganas - - - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
in Angul and the Khondmals - - - - Reg.1,1894,s.3.
Mad. Reg. 1, 1830, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts - - - - - - - - - Act15,1874,s.4.
Sati declared illegal and punishable - - - - - Ben.Reg.17,1829,s.2. Mad.Reg.1,1830,s.2.
Persons abetting sati deemed guilty of culpable homicide; bail - - - - - - - - - Mad.Reg.1,1830,s.4(2), (3).
Mad. Reg. 1, 1830, not to preclude High Court from passing sentence of death in certain cases - - - - - „ s.5.
Proprietors of land, farmers, agents, native officers and headmen of villages to give information to police of intended sati; penalty - - - - - - - - - Ben.Reg.17,1829,s.3(1). Mad.Reg.1,1830,s.3(1).
Police to endeavour to prevent sati, and to report to Magistrate - Ben.Reg.17,1829,s.3(2). Mad.Reg.1,1830,s.3(2).
„ enquire and report to Magistrate if sati takes place - Ben.Reg.17,1829,s.3(3). Mad.Reg.1,1830,s.3(3).
Magistrate how to proceed on receiving such reports - - „ s.4(1).
Short title given to Ben. Reg. 17, 1829 - - - - Act5,1897,s.4.
Marriage of:
Act 15, 1856, declared in force—
throughout British India, except as regards the Scheduled Districts - - - - - - - - - Act15,1874,s.3.
in the Santhál Parganas - - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
in the Arakan Hill District - - - - Reg.9,1874,s.3.
in the Angul and Khondmals - - - - Reg.1,1894,s.3.
Legalised; what forms required - - - - Act15,1856,ss.1,6.
Consent of nearest male relative when required to - - „ s.7.
Rights of widow in deceased husband's property, to cease on - „ s.2.
Guardianship of children of deceased husband on - - „ s.3.
Act 15, 1856, not to render childless widow capable of inheriting - - - - - - - - - „ s.4.
Saving of other rights of widow on marriage - - - „ s.5.
Marriage with Hindu widow does not create liability for debts of her deceased husband - - - - - - Bom.Act7,1866,s.4.
HINDU WILLS ACT, 1870. (*See* SUCCESSION) - - - Act21,1870.
HOLDING; definitions of. *See* WORDS AND PHRASES.

[1] Ben. Reg. 17, 1829, has been declared, by notification under the Scheduled Districts Act, 1874, to be in force in Assam, except the North Lushai Hills.

HOMICIDE. *See* CRIMINAL LAW (INDIAN), 14 (*d*); WORDS AND PHRASES.

HONORARY MUNSIFS ACT (N.-W. PROVINCES AND OUDH), 1896. (*See* CIVIL COURTS, V, 1) - - - - - - - N.&O.Act2,1896.

HOSPITAL.

Penalty for unlawfully introducing liquor or intoxicating drug into - (Bo.Town)Act13,1856 s.49. (Cal.)Ben.Act4,1866,s.34. (M.City) Mad.Act3,1888, s.68.

For animals. *See* ANIMAL, A.

HOSPITALS AND DISPENSARIES.

To be under authority of Local Self-government Boards:

Ajmere.	*See* LOCAL SELF-GOVERNMENT,	I, 3.
Bengal.	" " " "	II, 3.
Bombay.	" " " "	IV, 3.
C. Provinces.	" " " "	V, 3.
Madras.	" " " "	VI, 3.
N.-W. P. & Oudh.	" " " "	VII, 3.
Punjab.	" " " "	VIII, 3.

Maintenance of, by Madras Municipal Council. *See* MUNICIPALITY, XII, 6 (*l*).

HOTEL. *See* PLACES OF PUBLIC RESORT.

HOWRAH.

What places included in - - - - - - -	Act21,1857,section1,Sch.
Penalty for having possession of stolen property - - - -	" ss.1,2.
" being armed or disguised with intent to commit offence, or for loitering, etc.; arrest without warrant - -	" ss.1,3.
Power of Magistrate to order discontinuance of brothel; penalty -	" ss.1,7.
Control over manufacture, possession and sale of gunpowder - -	" ss.18,19.
Penalties for various acts in streets, etc., likely to cause nuisance -	" ss.20to23.
Power of police to arrest without warrant; disposal of persons arrested - - - - - - - - -	" ss.51to53.
Jurisdiction and procedure of Magistrates - - - - -	" ss.1,54(pt.rep. Act12,1891), 55,56.
Ascertainment and recovery of costs or expenses under Act - -	" s.55.
Application of fines realised under Act - - - - -	" s.57.
Act 21, 1857, repealed as to suburbs of Calcutta - - -	Act8,1868,s.1.

Municipal police in. *See* MUNICIPALITY, V, 5.

For further provisions enacted specially for Howrah, see the appropriate heads.

HOWRAH BRIDGE ACT, 1871 - - - - - - - Ben.Act9,1871.

" " AMENDMENT ACT, 1888 - - - - - Ben.Act3,1888.

HOWRAH BRIDGE.

Definitions - - - - - - - - -	Ben.Act9,1871,section 1.
Power of Local Government to construct and maintain - - -	" s.2.
Levy of tolls, fees and charges for use of; exemptions - -	" ss2(am Ben. Act3,1888, s.3),22, Sch.

HOWRAH BRIDGE—*cont.*

Power to levy fees on goods and passengers conveyed by railway into and from Howrah, to meet charges for construction and maintenance of; exemptions	Ben.Act9,1871,s.4(am.Ben. Act3,1888, s.4).
Appointment of persons to collect tolls, etc., and take charge of bridge	,, s.5.
Penalty for evasion of toll, etc.; arrest and trial of offender	,, ss.29to32.
Power of Local Government to make bye-laws as to; penalty for infringement of bye-law	,, ss.6,7.
Bye-laws and tables of tolls, etc., to be affixed to approaches to	,, s.8.
Power to collect tolls, etc., through East Indian Railway administration	,, s.9.
Power to advance public funds for construction of	,, s.10.
Accounts; application of balances	,, s.11.
Power to appoint Port Commissioners of Calcutta to work Act	,, ss.1,12.
Powers, rights and duties of Port Commissioners when so appointed, and controlling powers of Local Government	,, ss.13to26.
Power of Port Commissioners to build or acquire vessels and employ them in service of	Ben.Act3,1880.
Power of Port Commissioners to lend money to Calcutta Municipal Corporation for construction of Harrison Road out of Reserve Fund held under Ben. Act 9, 1871	Ben.Act3,1889.
Suits, etc., for things done under Act: notice of; limitation of; tender of amends	Ben.Act9,1871,s.27.
Compensation not claimable for loss sustained through obstruction to navigation, etc.	,, s.28.

HURT.

Definitions of. *See* WORDS AND PHRASES.
See CRIMINAL LAW (INDIAN), 14 (*b*).

ILLUSORY APPOINTMENTS — Act 24,1841,ss.2,5.

IMMOVEABLE PROPERTY defined. *See* WORDS AND PHRASES.

IMPORT defined. *See* WORDS AND PHRASES.

IMPRISONMENT.

None to be imprisoned contrary to law	25E.1(*Mag.Car.*), c.29. 5E.3,c.9. 28E.3,c.3 [1] 3C.1,c.1.
Restriction of, after enlargement on *habeas corpus*	31C.2,c.2,section5.
Of inhabitant of England beyond seas, illegal; *præmunire* and other penalties; savings	,, ss.11to13,15.
For debt; abolition of, with certain exceptions	Act6,1888.
Act 6, 1888 (the Debtors Act, 1888), ss. 2 to 8, declared in force in British Baluchistan	Reg.1,1890,s.3.
For debt; application of Murray Trust Fund for securing release of persons imprisoned in Calcutta for debt	Ben.Act2,1897.

See also CRIMINAL LAW (INDIAN), 2.

IMPROVEMENTS.

Defined. *See* WORDS AND PHRASES.
Made by holder under defective title. *See* TRANSFER OF PROPERTY, A, 3.

[1] These Acts are indexed because they are published in the Collection of Statutes relating to India.

IMPROVEMENTS—*cont.*
Agricultural :
Power of Government to lend money for. *See* LOAN, B, 3 (*a*), (*c*).
Rights of landlord and tenant when improvement made :
Bengal. *See* LANDLORD AND TENANT, III, A, 5.
C. Provinces. „ „ „ „ V, 2 (*a*), (*c*).
Madras. „ „ „ „ VII, 2 (*d*).
N.-W. Provinces. „ „ „ „ IX, 2.
Oudh. „ „ „ „ X, 2.
Punjab. „ „ „ „ XI, A, 5.
INAM COMMISSIONER, BOMBAY. *See* LAND-REVENUE, VI, A, 3 (*b*).
INAM LANDS. *See* REVENUE-FREE LANDS.
INAMDARS.
In Bombay Presidency ; judicial powers of. *See* CIVIL COURTS, VI, B.
INCOME-TAX.

1. Preliminary.

Act 2, 1886, extends to whole of British India and, for certain purposes, to Native States — Act2,1886,s.1.
„ „ declared in force in the Santhál Parganas — Reg.3,1872,s.3(am.Reg.3, 1886).
Definitions — Act2,1886,section3.

2. Liability to Tax.

What incomes liable, and at what rates — „ s.4,Sch.II(pt. rep.Act12, 1891).
Certain sources of income exempted — „ s.5.
Power of Governor General in Council to make further exemptions — „ s.6.

3. Collection, Assessment and Recovery of Tax.

Salaries, Pensions and Gratuities :
Deduction of tax on payment of — „ ss.7to9.
Annual returns to be furnished by Local Authorities, Companies and public bodies to facilitate recovery of tax on — „ s.10.
Profits of Companies :
Annual statement of, to be furnished — „ s.11.
Power of Collector to require production of Company's accounts — „ s.12(*1*).
„ „ determine assessment of — „ s.12(*2*).
Interest on Securities :
Deduction of tax on payment of — „ s.13.
Other sources of income :
Collector to determine persons chargeable and amount of assessment ; his procedure — „ ss.14to18.
Time and place of payment of tax — „ ss.19.29.
Tax to be paid—
by trustees, guardians, curators and committees of incapacitated persons — „ s.20.
by agents — „ s.21.
by receivers or managers (appointed by Court), by Court of Wards and by Administrator General — „ s.22.

INCOME-TAX—*cont.*

3. Collection, Assessment and Recovery of Tax—*cont.*

Other sources of income—*cont.*:		
Authority to such trustees, etc., to recoup themselves for such payments from estates in their charge		Act 2, 1886, section 23.
Rate of assessment of building occupied by owner		,, s.24.
Power to require list of lodgers and employés		,, ss.41,45.
Power to require from trustee, guardian, curator, committee or agent statement of names of beneficiaries or principals		,, ss.42,45.
Power to require trustee, guardian, curator, committee, agent, receiver, manager, Court of Wards, Administrator General or Official Trustee to furnish returns of income		,, ss.43,45.
Power to require other persons to furnish information		,, ss.44,45.
Revision of assessment on application of assessee		,, ss.25to28,33, Sch.III.
Power to make agreement for composition for tax		,, s.31.
Bar of suits in Civil Courts to set aside or modify assessment		,, s.39.
Recovery of arrears		,, s.30.
Receipts to be given for payments		,, s.32.
Indemnity to persons collecting tax		,, s.49.

4. Miscellaneous.

Offences and penalties		,, ss.34,35.
Prosecutions to be at instance of Collector		,, s.36.
Proceedings under ss. 12, 25 to 28, deemed "judicial proceedings"		,, s.37.
Power of Government to make rules for working of Act		,, s.38.
Delegation of powers of Collector or Commissioner		,, s.40.
Service of notices		,, s.46.
Power of Government to declare principal place of business or residence		,, s.47.
Powers exerciseable from time to time		,, s.50.
Payment of income-tax absolves from liability to pay Pandhari-tax in Central Provinces or capitation tax or land rate in lieu thereof in Lower Burma		,, s.48.

INCUMBERED ESTATES ACT (BROACH AND KAIRA), 1877		Act14,1877.
,, ,, ,, ,, ,, ,, 1881		Act21,1881.
,, ,, ,, (CHOTIA NAGPUR), 1876		Act6,1876.
,, ,, ,, (JHANSI), 1882		Act16,1882.
,, ,, ,, (SINDH), 1881		Act20,1881.
,, ,, ,, ,, 1884		Act11,1884.
,, ,, ,, ,, 1896		Act20,1896.

INCUMBERED ESTATES.

1862. Bom. Act 6 (Ahmadabad Taluqdars).
1870. Act 24 (Oudh Taluqdars).
1872. Reg. 4 (Ajmere Taluqdars, Thakurs and Jagirdars).
1876. Act 6 (Chutia Nagpur Estates).
,, Act 10, s. 1 (Revenue Jurisdiction, Bombay).
,, Act 17, s. 132 (Land-revenue, Oudh).
1877 Act 14, ss. 39 to 41 (Ahmadabad Taluqdars; Broach and Kaira Thakurs).
1881. Act 20 (Sindh Jagirdars and Zamindars).
,, Act 21 (Broach and Kaira Thakurs, etc.).

INCUMBERED ESTATES—*cont.*

1882. Act 16 (Jhansi, Jalaun and Lalatpur Zamindars).
1884. Act 11 (Sindh Jagirdars and Zamindars).
1885. Act 7 (Panch Mahals).
1887. Reg. 3 (Ajmere Diwan).
1888. Bom. Act 6, s. 34 (Ahmadabad Taluqdars).
1896. Act 20 (Sindh Jagirdars and Zamindars).

I.—AJMERE
- A.—CERTAIN TALUQDARS, THAKURS AND JAGIRDARS NAMED IN SCHEDULE TO REG. 4, 1872:
  - **1. Preliminary.**
  - **2. Management and Liquidation.**
  - **3. Supplemental.**
- B.—DIWAN GHYAS-UD-DIN ALI KHAN,
  - **1. Preliminary.**
  - **2. Management and Liquidation.**
  - **3. Restoration to Owner.**
  - **4. Supplemental.**

Bombay Presidency.
- II.—AHMADABAD
- III.—BROACH AND KAIRA
- IV.—SINDH
- V.—OUDH

Bengal. VI.—CHOTA NAGPUR
- **1. Management and Liquidation.**
- **2. Restoration to Owner.**
- **3. Supplemental.**

N.-W. Provinces. VII.—JHANSI, JALAUN AND LALATPUR DISTRICTS
- **1. Preliminary.**
- **2. Liquidation.**
- **3. Cessation of Disabilities imposed on Zamindar.**
- **4. Supplemental.**

I.—AJMERE.

A.—CERTAIN TALUKDARS, THAKURS AND JAGIRDARS NAMED IN SCHEDULE TO REG. 4, 1872.

1. Preliminary.

Definitions — Reg. 4, 1872, s. 1, Sch.

2. Management and Liquidation.

Application for benefit of Regulation — „ ss.2,3.
Declaration of management, and effect thereof — „ ss.4to6.
Claims to be called in — „ ss.7to10.
Entry of debts in schedule; power to refuse to enter; power to refer claim to Court for investigation; appeal against refusal to enter debt in schedule; preparation and sanctioning of liquidation-scheme — „ ss.11to17.
Power to remove mortgagee in possession — „ s.18.
„ raise money by mortgage for settlement of debts — „ s.19.
Appointment of Taluqdar, Thakur or Jagirdar to be manager of his property; appointment and powers of another manager if Taluqdar, etc., fails to observe conditions imposed on him; status of managers — „ ss.20to25,33.
Disabilities of Taluqdar, etc., during period of management by Court — „ s.26.
Accounts — „ s.27.
Cancellation of documents on proof of claim — „ s.28.

3. Supplemental.

Power to make rules — „ s.32.
Investigations by Commissioner deemed "judicial proceedings"; his power to summon witnesses, etc.; and administer oath or affirmation — „ ss.29to31.
Bar of suits and proceedings for acts done in good faith — „ s.34.

INCUMBERED ESTATES—*cont.*

I.—AJMERE—*cont.*

B.—DIWAN GHYAS-UD-DIN ALI KHAN.

Definition of "Her Majesty" - - - - - - Reg.3,1887,s.2.
Validation of past proceedings - - - - - - „ s.3.
Temporary vesting of Diwan's property in Government, and administration thereof - - - - - - „ ss.4to6.
Retention by Government of certain moneys coming into its possession - - - - - - „ s.7.
Exemption of property and money from attachment by Court - „ s.8.
Disabilities of Diwan - - - - - - „ s.9.
Maintenance of Diwan and his relatives - - - - - „ s.10.

II.—AHMADABAD (TALUQDARS).

1. Preliminary.

Definition - - - - - - - - - - Bom.Act6,1862,s.21(rep. in pt.Bom. Act3,1886).

2. Management and Liquidation.

Declaration of management and appointment of manager - - Bom.Act6,1862,ss.1,17.
Status of manager - - - - - - - Act14,1877,s.40(am.Act 21,1881,s.2),s.41.
No new declaration to be made under Bom. Act 6, 1862, s. 1, after 25th September, 1889 - - - - - Bom.Act6,1888,s.34.
Effect of declaration of management - - - - - Bom.Act6,1862,ss.2,4,5.
General powers and duties of manager in management of estate - „ ss.7,15.
Claims to be called in - - - - - - „ ss.8,9.
Liquidation-scheme ; preparation and approval of - - - „ s.10.
Power to remove mortgagee in possession - - - - „ s.3.
„ authorise raising of funds for settlement of debts - - „ s.11.
Talukdar not competent to charge or alienate estate during management - - - - - - „ s.12.
Civil Courts to give up writs, decrees, etc., when required - - „ s.13.

3. Restoration to Owner.

Management limited to twenty years; on expiration of management, claims, etc., to be considered settled - - - - „
Proprietorship of talukdar after termination of management - „

4. Supplemental.

Power to make rules - - - - - - „
„ of manager to summon witnesses, etc. - - - „
Powers for enforcing payment of fines - - - - „
Saving of jurisdiction of Courts in cases of succession, etc. ; bar of suits for acts done in good faith - - - - - „
Bom. Act 6, 1862, not affected by Bombay Revenue Jurisdiction Act, 1876 - - - - - Act10,1876.
Validation of Bom. Act 6, 1862, so far as it affects the Bombay High Court - - - - - Act14,1877,s.

INCUMBERED ESTATES—*cont.*

III.—BROACH AND KAIRA (THAKURS, ETC.).

1. Preliminary.

Definitions - - - - - - - - - - Act21,1881,ss.3,8,17.
Act 21, 1881, declared not to be in force in the Panch Mahals - Act7,1885.

2. Management and Liquidation.

Application for benefit of Act; preliminary enquiry thereon; verified statement of debts, etc. - - - - - - - *Act21,1881,ss.4to7.*
Appointment, suspension, removal and *status of manager* - - Act14,1877,s.40(am.Act 21,1881,s.2),s.41. Act21,1881,ss.7,32,33.
Order of management, and effect thereof - - - - - „ ss.8,9,38.
General powers and duties of *manager* in management of estate - „ ss.10,11.
Claims to be called in and examined; ranking of debts and fixing of interest - - - - - - - - - „ *ss.12to16.*
Liquidation-scheme: preparation and sanctioning of; effect of - „ ss.17,18,20.
Power to relinquish management before sanctioning liquidation-scheme - - - - - - - - - „ s.19.
Power to remove mortgagee in possession, to enquire into consideration given for lease, to demise property and to raise money on property - „ ss.21to24.
Continuance of management after death of owner - - - - „ s.27.
Manager's receipts - - - - - - - - „ s.25.

3. Restoration to Owner.

Termination of management and restoration to owner - - „ s.26.
Mortgages, etc., made by restored Thakur to be valid for his life only „ ss.28,38.

4. Supplemental.

Appeal and revision - - - - - - - - „ ss.29,30.
Power to make rules - - - - - - - - „ s.31.
Investigations by manager deemed "judicial proceedings"; his power to summon witnesses, etc. - - - - - - „ ss.34,35.
Bar of suits and proceedings for acts done in good faith - - „ s.36.
Saving of jurisdiction of Courts in cases of succession - - „ s.37.
Exemption of certain Thakurs from provisions of ss. 9 and 28 of Act „ s.38.

IV.—SINDH (JAGIRDARS AND ZAMINDARS).

1. Preliminary.

Act 20, 1881, has effect only when application for benefit of Act was made within six months after it was passed - - - - Act20,1881,s.4.
Application for benefit of Act 20, 1896, may be made at any time after passing of Act - - - - - - - Act20,1896,s.3.
Definitions - - - - - - - - - Act20,1881,s.3(am.Act11, 1884,s.2),ss.8,17. Act20,1896,s.2.

2. Management and Liquidation.

Application for benefit of Act; preliminary enquiry thereon; interim order of protection; verified statement of debts, etc.; appointment, suspension, removal and status of manager - - - Act20,1881,ss.4,5,5A(ins. Act11,1884,s.3),6,7, 32,33. Act20, 1896,ss.3to7,34,35.

INCUMBERED ESTATES—*cont.*

IV.—SINDH (JAGIRDARS AND ZAMINDARS)—*cont.*

2. Management and Liquidation—*cont.*

Order of management, and effect thereof - - - - Act20,1881,ss.7to9(am. Act11,1884, ss.4,5). Act20,1896,ss.7to9.

General powers and duties of manager in management of estate - Act20,1881,ss.10,11. Act20,1896,ss.10,11.

Claims to be called in and examined; ranking of debts and fixing of interest - - - - - - - - - Act20,1881,ss.12to16. Act20,1896,ss.12to16.

Liquidation-scheme; preparation and sanctioning of; effect of - Act20,1881,ss.17,18,20. Act20,1896,ss.17,18,20.

" " power to revise and modify - - - Act11,1884,s.10. Act20,1896,s.30.

Power to relinquish management before sanctioning liquidation-scheme - - - - - - - - - Act20,1881,s.19. Act20,1896,s.19.

Power to remove mortgagee, etc., in possession, to enquire into consideration given for lease, to demise property, and to raise money on property - - - - - - - - Act20,1881,ss.21to24. Act20,1896,ss.21to24.

Separation of part of jagir lands subject to lapse - - - Act20,1881,s.24A(ins.Act 11,1884,s.6). Act20,1896,s.25.

Continuance of management after death of owner - - - Act20,1881,s.27(am.Act11, 1884,s.7). Act20,1896,s.28.

Manager's receipts - - - - - - - - Act20,1881,s.25. Act20,1896,s.26.

3. Restoration to Owner.

Termination of management, and restoration to owner - - Act20,1881,s.26. Act20,1896,s.27.

Mortgages, etc., made by restored Jagirdar or Zamindar to be valid for his life only - - - - - - - - Act20,1881,s.28. Act20,1896,s.29.

4. Supplemental.

Appeal and revision - - - - - - - - Act20,1881,ss.29,30. Act20,1896,ss.31,32.

Power to make rules - - - - - - - - Act20,1881,s.31. Act20,1896,s.33.

Investigations by manager deemed "judicial proceedings"; his power to summon witnesses, etc. - - - - - Act20,1881,ss.34,35. Act20,1896,ss.36,37.

Bar to suits and proceedings for acts done in good faith - - Act20,1881,s.36. Act20,1896,s.38.

Saving of jurisdiction of Courts in cases of succession - - Act20,1881,s.37. Act20,1896,s.39.

V.—OUDH (TALUQDARS).

1. Preliminary.

Definitions - - - - - - - - - Act24,1870, section2.

2. Management and Liquidation.

Application for benefit of Act; appointment and status of manager - " ss.3,21,22.

INCUMBERED ESTATES—*cont.*

V.—OUDH (TALUQDARS)—*cont.*

2. Management and Liquidation—*cont.*

Order of management, and effect thereof	Act24,1870,sections	3,4.
General powers and duties of manager	„	s.5.
Claims to be called in and debts determined; appeal	„	ss.6to10,13.
Liquidation-scheme; preparation and approval of	„	s.11.
Manager to have powers of Taluqdar	„	s.17.
Power to remove mortgagee in possession, to demise property and to raise money on property; manager's receipts	„	ss.17to19.

3. Restoration to Owner.

Restoration of estate to owner when debts discharged	„	s.12.
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4. Supplemental.

Power to make rules	„	s.20.
Investigations by manager deemed "judicial proceedings"; his power to summon witnesses, etc., and administer oath	„	ss.14to16.
Bar of suits and proceedings for acts done in good faith	„	s.23.
Saving of jurisdiction of Courts in cases of succession, etc.	„	s.25.
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Patti or mahal not liable to sale for arrears of land-revenue accruing while held under Act 24, 1870	Act17,1876,s.132.	

VI.—CHOTA NAGPUR.

1. Management and Liquidation.

Application for benefit of Act; appointment and status of manager	Act6,1876,ss.2(am.Act5, 1884,s.2),20,21.	
Order of management, and effect thereof	„	ss.2,3(am.Act 5,1884,ss.2,3).
General duties of manager	„	s.4(am.Act5, 1884,s.4).
Claims to be called in and debts determined; appeal	„	ss.5to7(am.Act 5,1884,s.5),ss. 8,10,13.
Power to enquire into consideration given for leases	„	ss.9,10.
Liquidation-scheme; preparation and approval of	„	s.11.
Manager to have powers of holder of property	„	s.16.
Power to remove mortgagee, etc., in possession, to demise property, and to raise money on property; manager's receipts	„	ss.16to18(am. Act5,1884, ss.7,8).

2. Restoration to Owner.

Restoration of property to owner when debts discharged or approved arrangement made for their discharge	„	s.12(am.Act5, 1884,s.6).
Restoration of property to owner without discharge of debts; revival of stayed proceedings, barred debts, etc., and re-instatement of dispossessed mortgagee		

INCUMBERED ESTATES—*cont.*

VI.—CHOTA NAGPUR—*cont.*

3. Supplemental.

Power to make rules	Act 6, 1876	s.19(am.Act5, 1884,s.9).
Investigations by manager deemed "judicial proceedings"; his power to summon witnesses, etc.	„	ss.14,15.
Bar of suits and proceedings for acts done in good faith	„	s.22.
Saving of jurisdiction of Courts in cases of succession, etc.	„	s.23.
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VII.—JHANSI, JALAUN AND LALATPUR DISTRICTS (ZAMINDARS).

1. Preliminary.

Definitions	Act 16, 1882,	sections2,18.

2. Liquidation.

Appointment, suspension, removal and status of Special Judge	„	s.3(am.Act20, 1890,s.6),s.29.
Application for benefit of Act; preliminary enquiry thereon; verified statement of debts, etc.	„	ss.4to6(am.Act 20,1890,s.6).
Claims to be called in; on publication of notice calling in claims, proceedings in Civil and Revenue Courts stayed and zamindar subjected to disabilities	„	s.7(am.Act20, 1890,s.6), ss.8to10.
Enquiry into claims; mode of taking account; rate of interest to be allowed in taking account	„	s.11(am.Act20, 1890,s.6), ss.12,13.
Payment of claimants, if zamindar pays claims determined to be due	„	s.14.
Ranking of debts and fixing of future interest, if zamindar does not pay claims determined to be due and claims cannot be paid by sale of property	„	s.15.
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Continuance of proceedings after death of zamindar	„	s.28.

3. Cessation of Disabilities imposed on Zamindar.

Commissioner when to declare that zamindar has ceased to be subject to disabilities imposed by s. 8 of Act.	„	s.25.

4. Supplemental.

Appeal and revision	„	ss.26,27.
Investigations by Special Judge deemed "judicial proceedings"; his power to summon witnesses, etc.	„	ss.29,30.
Bar of suits and proceedings for acts done in good faith	„	ss.31.
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INDEMNITY.

Contracts of. *See* CONTRACT 5 (*b*).

INDIA defined. *See* WORDS AND PHRASES.

INDIA (HOME CHARGES) ARREARS ACT, 1882. (*See* INDIAN MILITARY AND NAVAL FORCES, I) - - - - - - 45-6V.c.79.

INDIA MILITARY FUNDS ACT, 1866. [1] (*See* INDIAN MILITARY AND NAVAL FORCES, I) - - - - - - 29-30V.c.18.

INDIA (NORTH-WESTERN PROVINCES) ACT, 1835. [1] (*See* GOVERNMENT OF INDIA) - - - - - - 5-6W.4,c.52.

INDIA OFFICE AUDITOR ACT, 1881. (*See* FINANCE) - - 44-5V.c.63.

„ „ (SALE OF SUPERFLUOUS LAND) ACT, 1881 - - 44-5V.c.7.

„ „ SITE AND APPROACHES ACT, 1865 - - - 28-9V.c.32.

INDIA OFFICE.

Site of - - - - - - - - 27-8V.c.51. 28-9V.c.32.

Sale of superfluous land - - - - - - 44V.c.7

See also GOVERNMENT OF INDIA, 2 (*a*).

INDIA OFFICERS' SALARIES ACT, 1837.[1] (*See* GOVERNMENT OF INDIA) - - - - - - - - 7W.4&1V.c.47.

INDIA STOCK CERTIFICATE ACT, 1863. 26-7V.c.73.

„ „ DIVIDENDS ACT, 1871.[1] 34-5V.c.29.

„ „ (POWERS-OF-ATTORNEY) ACT, 1880. (*See* FINANCE) - 43V.c.11.

„ „ TRANSFER ACT, 1862.[1] 25-6V.c.7.

INDIAN ARMY PENSION DEFICIENCY ACT, 1885. (*See* INDIAN MILITARY AND NAVAL FORCES, I) - - - - - - 48-9V.c.67.

INDIAN CIVIL SERVICE ACT, 1861.[1] [*See* GOVERNMENT OF INDIA, 2 (*d*)] - - - - - - - - 24-5V.c.54.

INDIAN CIVIL SERVICE (BENGAL) LOANS PROHIBITION REGULATION, 1793.[2] [*See* GOVERNMENT OF INDIA, 2 (*d*)] - - - Ben.Reg.38,1793.

INDIAN CIVIL SERVICE (BENGAL) LOANS PROHIBITION REGULATION, 1823.[2] [*See* GOVERNMENT OF INDIA, 2 (*d*)] - - - Ben.Reg.7,1823.

INDIAN COUNCILS ACT, 1861. 24-5V.c.67.

„ „ „ 1869.[1] 32-3V.c.98.

„ „ „ 1871.[1] (*See* GOVERNMENT OF INDIA) - 34-5V.c.34.

„ „ „ 1874.[1] 37-8V.c.91.

„ „ „ 1892. 55-6V.c.14.

INDIAN MARINE ACT, 1887. (*See* ROYAL INDIAN MARINE) - Act14,1887.

„ „ SERVICE ACT, 1884. (*See* ROYAL INDIAN MARINE) - 47-8V.c.38.

INDIAN MILITARY AND NAVAL FORCES.

1772-3. 13 G. 3, c. 63, s. 24 (Accepting gifts).

1792-3. 33 G. 3, c. 52, ss. 25, 35 to 37, 42, 43, 65, 70 (Vacancies; declaring war, etc.).

1812-13. 53 G. 3, c. 155, ss. 84, 96 (Articles of War, etc.).

1817. Mad. Reg. 8, s. 9 (Recovery of revenue due by native officers or soldiers).

1826. 7 G. 4, c. 56 (Salaries).

1833. 3-4 W. 4, c. 85, ss. 71, 73, 74, 75, 78 to 80 (Vacancies; Articles of War; Salaries, etc.).

1852-3. 16-7 V. c. 95, ss. 32, 35 (Leave; Salaries).

1856. Act 13, s. 48 (Introducing liquor, etc., into barracks, etc., Bombay Town).

1857-8. 21-2 V.c. 106, ss. 30, 33 to 37, 38, 54 to 58, 64 (Appointments; War, etc.).

[1] This short title was given by 59 & 60 Vict. c. 14.
[2] This short title was given by Act 5, 1897, s. 4.

INDIAN MILITARY AND NAVAL FORCES—*cont.*

1860. 23-4 V. c. 100 (Army).
1866. 29-30 V. c. 18, s. 2 (Military Fund Transfer).
„ Ben. Act 4, s. 33 (Introducing liquor, etc., into barracks, etc., Calcutta).
1868. 31-2 V. c. 38 (Prize Money).
1869. Act 5 (Indian Articles of War).
1871. 34-5 V. c. 86, ss. 4, 5 (Compensation).
1872. Reg. 3, s. 3 (Laws, Santhál Parganas).
1873. Act 10, s. 3 (Oaths).
1874. 37-8 V. c. 61 (Compensation).
„ Act 15, s. 4 (Laws Local Extent).
„ Reg. 9, s. 3 (Laws, Arakan Hills).
1875. Act 5 (Unattested Sepoys).
1880. 43 V. c. 3 (Salaries).
1881. 44-5 V. c. 57, s. 55 (Pensions).
„ 44-5 V. c. 58 (Army).
1882. 45-6 V. c. 7, s. 4 (*6*) (Army).
1882. 45-6 V. c. 79 (Army; Settlement of Accounts).
„ Act 10, ss. 54 (*6*), 549 (Criminal Procedure).
„ Act 14, s. 266 (*i*) (Civil Procedure).
1884-5. 48-9 V. c. 67 (Army Pensions Deficiency).
1886. Act 20, s. 6 (Laws, Upper Burma).
1888. Mad. Act 3, s. 67 (Introducing liquor, etc., into barracks, etc., Madras City).
1890. 53-4 V. c. 4, ss. 7, 9 (*1*) (Army).
„ Reg. 1, s. 3 (Laws, British Baluchistan).
1893. 56-7 V. c. 62 (Abolition of Provincial Commanders-in-Chief).
1894. Reg. 1, s. 3 (Laws, Angul).
1895. 58-9 V. c. 7, s. 7 (Army).
1896. 59-60 V. c. 2, s. 4 (Army).

I.—GENERALLY. - - - - .....
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III.—UNDER INDIAN ARTICLES OF WAR - { **1. Preliminary.** **2. Enrolment and Service.** **3. Discipline and Regulation.** **4. Miscellaneous.**

I.—GENERALLY.

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INDIAN MILITARY AND NAVAL FORCES—*cont.*

I.—GENERALLY—*cont.*

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II.—UNDER ARMY ACT OF 1881 (*see also* ARMY).

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INDIAN MILITARY AND NAVAL FORCES—*cont.*

II.—UNDER ARMY ACT OF 1881—*cont.*

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III.—UNDER INDIAN ARTICLES OF WAR.

1. Preliminary.

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the Arakan Hill District - - - - - - Reg.9,1874,s.3.
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British Baluchistan - - - - - - - Reg.1,1890,s.3.
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Act 5, 1875 (Unattested Sepoys), declared in force in—
the Arakan Hill District - - - - - Reg.9,1874,s.3(am.Act11,1889,s.102).
Upper Burma generally (except the Shan States) - - Act20,1886,s.6.
British Baluchistan - - - - - - - Reg.1,1890,s.3.

2. Enrolment and Service.

Enrolment and attestation; rank and subordination - - - Act5,1869,Art.1(am. Act12,1894,s.6).
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INDIAN MILITARY AND NAVAL FORCES—*cont.*

III.—UNDER INDIAN ARTICLES OF WAR—*cont.*

3. Discipline and Regulation.

(*a*) *Definition and application of Military Law.*

Definitions - - - - - - - - Act 5, 1869, Pt. I, cl. (*e*) (am. Act 12, 1894, s. 4), App. I, Pt. I.

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Power of Governor General in Council to apply Articles to any force raised and maintained in India under his authority - - „ Art. 191 (am. Act 12, 1894, s. 73).

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(*b*) *Offences punishable by Military Law.*

Crimes punishable with death or transportation - - - „ Arts. 7 to 24 (am. Act 12, 1894, ss. 7 to 11).

„ „ otherwise than with death or transportation :

Unbecoming behaviour, etc. - - - „ Arts. 25 to 53 (am. Act 12, 1894, ss. 12 to 16).

Embezzlement, etc. - - - - „ Arts. 54 to 57 (am. Act 12, 1894, s. 17).

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Offences against Court-martial - - „ Arts. 67 to 69 (am. Act 12, 1894, s. 20).

Other offences - - - - „ Arts. 70, 71 (am. Act 12, 1894, s. 21), App. I, Pt. II.

(*c*) *Trial and Punishment of Offences.*

(1) Courts-Martial :

Kinds of - - - - - - - „ Art. 72 (am. Act 12, 1894, s. 22).

Ordinary : convening of ; composition of ; powers of - - „ Arts. 73, 74, 76, 80 to 82, 82A, 83 to 85, 85A, 86 to 89, 89A, 89B (am. Act 12, 1894, ss. 23, 25 to 31).

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INDIAN MILITARY AND NAVAL FORCES—*cont.*

III.—UNDER INDIAN ARTICLES OF WAR—*cont.*

3. Discipline and Regulation—*cont.*

(*c*) *Trial and Punishment of Offences*—cont

(2) Procedure—*cont.*:

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Dissolution of Court - - - - - - „ Art. 103 (am. Act 12, 1894, s. 36).
Power to clear Court - - - - - - „ Arts. 103A, 103B (ins. Act 12, 1894, s. 36).
„ view place - - - - - - „
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Precedence of native officers - - - - - „ Art. 105.
Time of trial; adjournment - - - - - „ Art. 106.
Challenges by prisoner - - - - - - „ Art. 107 (am. Act 12, 1894, s. 38.
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Bar to application of Oaths Act (10, 1873) - - - Act 10, 1873, section 3.
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Conviction of one offence permissible on charge of another - „ Art. 116 (am. Act 12, 1894, s. 41).
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Voting of members of Court-martial - - - - „ Arts. 118, 119 (am. Act 12, 1894, s. 43).
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„ execution of - - - - - - - „ Arts. 150 to 155 (am. Act 12, 1894, ss. 53 to 58).
„ pardons, and remissions of - - - - „ Arts. 160, 161 (am. Act 12, 1894, ss. 60, 61).

(4) Miscellaneous Provisions:

Preservation of proceedings of Court-martial - - - „ Art. 161 (ins. Act 12, 1894, s. 62).
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INDIAN MILITARY AND NAVAL FORCES—*cont.*

III.—UNDER INDIAN ARTICLES OF WAR—*cont.*

3. Discipline and Regulation—*cont.*

(*c*) *Trial and Punishment of Offences*—cont.

(4) Miscellaneous Provisions—*cont.*:

Prohibition of second trial - - - - - Act5,1869,Art.180(am.Act 12,1894,s.73).

(*d*) *Offences punishable civilly.*

Delivery of accused to Magistrate - - - - - „ Art.170(pt.rep. Act12,1894,s.70).

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(*e*) *Miscellaneous Provisions as to Discipline and Regulation.*

Prisoner of war: arrears due to, when payable; when service may be reckoned by - - - - - - - - „ Art.163(am.Act12, 1894,s.64).

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4. Miscellaneous.

Property of deceased persons, deserters or lunatics:

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Meaning of "deserter," as used in Art. 176 - - - „ Art.178

Persons subject to Indian Articles of War exempted from arrest for debt, attachment of property, etc. - - - - - „ Arts.181,182. Act14,1882,s.266,prov.(*i*).

Priority of hearing by Courts of cases in which Native officers or soldiers are concerned - - - - - - - Act5,1869,Art. 184 (am. Act 12,1894, s.73).

Capture of deserters - - - - - - - „ Art.185

Arrest of deserters by police - - - - - - Act10,1882,s.54(*6*).

Apprehension of military offenders by civil authorities - - Act5,1869,Art. 186 (am. Act 12,1894, s.73).

Presumption as to signatures - - - - - - „ Art.187

Army command; what forces under - - - - - „ Art.188

Act 5, 1869, not to affect authority of Commander-in-Chief - - „ Art.189

Power of Governor General in Council to make rules - - „ Art.190

INDIAN MUSEUM ACT, 1876 - - - - - - - Act22,1876.

„ „ „ 1887 - - - - - - - Act4 1887.

INDIAN MUSEUM.

Trustees of: number of; incorporation of; filling of casual vacancies; continuance of existing trustees - - Act22,1876,ss.3to5(am. Act4,1887,s.3). Act4,1887,section4.

„ quorum at meetings of - - - - - - Act22,1876,s.10.

„ powers of, for management of Museum and making of bye-laws - - - - - - „ ss.6,7.

„ „ as to parting with certain property in their possession - - - - - Act4,1887,s.6,Sch.

„ „ as to appointment of officers and servants; status, pay, leave and pension of officers and servants - - - - - Act22,1876,ss.9,14.

INDIAN MUSEUM—*cont.*

Trustees of: powers of, as to keeping collections not their property - Act4,1887,s.5.
„ to furnish annual report and accounts and to publish accounts - Act22,1876,s.11.
„ to keep collections of Asiatic Society separately - „ s.12.
„ powers and duties of, as to exchange and sale of duplicates - „ ss.9,13.
Disposal of collections in case of determination of trust - „ s.15. Act4,1887,s.5.

INDIAN PRIZE MONEY ACT, 1866.[1] (*See* ARMY) - 29-30V.c.47.
„ „ „ „ 1868.[1] (*See* ARMY) - 31-2V.c.38.

INDIAN RESERVE FORCES.

Act 4, 1888, applies to whole of British India - Act4,1888,s.3.
„ „ declared in force in British Baluchistan - Reg.1,1890,s.3.
To consist of active reserve and garrison reserve - Act4,1888,s.2.
Liability of, to serve out of British India - „ s.3.
„ to military law - „ s.5.
Power of Governor General in Council to make rules and orders for government, discipline and regulation of - „ s.4.
Punishment of certain offences by persons belonging to - „ s.6.
Act not to apply to persons already in reserve, except with their consent - „ s.7.
Persons belonging to, exempted from arrest for debt, attachment of property, etc. - Act5,1869,Arts.181to183 (am.Act12,1894,s.73).

INDIAN SECURITIES ACT, 1860.[1] (*See* FINANCE) - 23-4V.c.5.

INDIGO.

Advances under written agreement for cultivation of.

Ben. Reg. 6, 1823, Ben. Reg. 5, 1830, s. 5, and Act 10, 1836, declared in force throughout Bengal and the North-Western Provinces, except as regards the Scheduled Districts - Act15,1874,ss.6,7.
Person making such advances to have lien on crop - Ben. Reg. 6, 1823,s.2.
Such person may institute either summary or regular suit in case of evasion of agreement - „ s.5(*1*).
Procedure in such suits to be same as in suits for arrears of rent - „ s.6.
Summary suit in case of evasion of such agreement:
Special rules of procedure - „ s.3.
Award giving plaintiff right to receive crop, when to be made- „ s.3(*5*).
When to be dismissed - „ s.3(*6*).
Power of Judge to order cutting of crop and delivery to party, pending decision; security to be given - „ s.3(*9*). Act10,1836,s.2.
Right of successful party to prevent cutting of crop contrary to agreement - Ben.Reg.6,1823,s.4(*1*).
Manufacturer cutting crop in pursuance of award to be jointly responsible with raiyat to landlord for arrears of rent - „ s.4(*2*).
When judgment in favour of plaintiff, defendant to repay advances, with interest and costs - „ s.5(*2*).
Regular suit in case of evasion of such agreement:
Right to institute - „ s.6.
Limitation to liability of defendant, where no fraud, etc., proved - „ s.5(*4*).

[1] This short title was given by 59 & 60 Vict. c. 14.

INDIGO—*cont.*
Advances under written agreement for cultivation of—cont.
Right of person who has received such advances to apply to District Court for settlement of accounts — Ben.Reg.5,1830,s.5.
Power, in case of breach of such agreement, to proceed against cultivator and instigator of breach jointly — Act10,1836,s.3.
Power of Court, in suits under Ben. Reg. 6, 1823, or Act 10, 1836, to examine both plaintiff and defendant and to award compensation to successful defendant — „ s.4.

INDUS.
Preventive Line. *See* SALT, II, 3.
Vessels plying on river Indus and its tidal channels:
Registration and marking of vessels; fees; fines — Bom.Act1,1863,ss.1to6.
Such fees and fines to be expended in improving navigation — „ s.7.
Maintenance of pilots and pilot-boats; pilotage fees, and fines for non-payment thereof — „ ss.8to12.
Such fees and fines to be expended in securing safe passage of vessels — „ s.13.
Account of receipts and expenditure — „ s.14.
Power to appoint officers and make rules — „ s.15.
Barge or flat in tow not to be considered a "vessel" — „ s.17.

INDUS VALLEY STATE RAILWAY.
Laws in force in Multan, etc., to apply to lands ceded by Bhawalpur State for — Act13,1883,s.2.

INFANT.
Capacity of child *en ventre sa mere* to take in remainder — 10W.3,c.22.[1]
National status of child. *See* ALIEN, 1, 2 (*a*).
Effect on status of child of parent becoming alien or being re-admitted to British nationality — 33-4V.c.14,s.10. 58-9V.c.43.
11 Geo. 4 and 1 Will. 4, c. 65, extended to India — Act24,1841,section2.
Conveyances by, under order of Court — „ s.4(pt.rep. Act12,1891).
Act 24, 1841, repealed, except as to infants — Act8,1868.
„ „ applies only to cases governed by English law — Act24,1841,s.5.
Child when liable for criminal offence. *See* CRIMINAL LAW (INDIAN), 3.
Penalty for buying from, or taking pledge from child — (Bo.Town)Act48,1860,s.16. (Cal.)Ben.Act4,1866,s.54. (M.City)Mad.Act3,1888, s.66.
Employment of children in factories. *See* FACTORY.
Maintenance of children under order of Magistrate. *See* CRIMINAL PROCEDURE (INDIAN), 11 (4).
Vaccination of children. *See* VACCINATION, I, 3; II, 3; III, 3.
See also APPRENTICE; MINOR.

INFANTICIDE.
Act 8, 1870, extends *proprio vigore* to North-Western Provinces, Oudh and Punjab, and may be extended by notification to other places — Act8,1870,s.7.
„ „ declared in force in the Arakan Hill District — Reg.9,1874,s.3.
„ „ declared not to be in force in the Panch Mahals — Act7,1885.
Power to notify districts and persons to be subject to Act — Act8,1870,s.1.

[1] This Act is indexed because it is published in the Collection of Statutes relating to India.

INFANTICIDE—*cont.*

Power to make rules for registration of births, marriages and deaths, taking of census, entertainment of extra police, etc., in such districts - - - - - - - - - - Act 8, 1870, ss. 2, 3.

Penalty for breach of rules - - - - - - - - „ s. 4.

Prosecutions under other laws not barred, but only one punishment allowed - - - - - - - - - - „ s. 5.

Power of Magistrate to place female child under supervision and to enforce payment of maintenance - - - - - „ s. 6.

INFECTIOUS DISEASE.

Penalty for spreading infection of disease dangerous to life - - - Act 45, 1860, ss. 269, 270.

Flag to be hoisted at sea when plague or other infectious disease on board ship - - - - - - - - - 6 G. 4, c. 78, s. 9.

Power of Government to make quarantine rules - - - - Act 1, 1870.

Act 1, 1870 (Quarantine Rules), declared in force throughout British India, expect as regards the Scheduled Districts - - Act 15, 1874, s. 3.

Penalty for disobeying quarantine rule - - - - - Act 45, 1860, s. 271.

Power to take special measures and prescribe regulations to prevent outbreak or spread of dangerous epidemic sease; delegation of powers to Local Government - - - - - - Act 3, 1897, s. 2.

Penalty for breach of regulation or order made under Act 3, 1897, s. 2 - - - - - - - - - - „ s. 3.

Protection to persons acting under Act 3, 1897 - - - „ s. 4.

Carriage by railway of passengers suffering from - - - - Act 9, 1890, ss. 47(*d*), 71, 117(*l*).

Power of Governor General in Council to make rules for preventing spread of, in cantonments - - - - - - Act 13, 1889, s. 26(*21*).

Control over outbreak or spread of, in municipalities:

Aj., L. B., C. P.	*See* MUNICIPALITY,	II, 6 (*l*).	
As., Ben. Districts.	„	„	V, 6 (*k*).
Cal.	„	„	VI, 6 (*m*).
Bom. Districts.	„	„	VII, 6 (*l*).
„ City.	„	„	VIII, 6 (*k*).
Mad. Districts.	„	„	XII, 6 (*n*).
„ City.	„	„	XIII, 6 (*l*).
Punjab.	„	„	XIV, 6 (*l*).

Power of Local Authority to borrow for measures against. *See* LOAN, B, 2 (*b*).

Keeper of sarai bound to give notice of - - - - Act 22, 1867, s. 7(*1*).

Control over intending emigrants suffering from. *See* EMIGRATION, A, 2 (4), (6).

Power to take special measures to prevent outbreak of, in villages - N. & O. Act 2, 1892, ss. 17 to 19.

„ of Magistrate and Civil Surgeon to make bye-laws for prevention of spread of epidemics among pilgrims to Puri - Ben. Act 4, 1871, ss. 37, 38.

Power of District Magistrate to make rules or orders for preventing or for checking spread of; penalty - - - - - Bom. Act 4, 1890, ss. 39(*h*)(*j*), 50, 65.

Power of District Magistrate to take special measures and prescribe regulations to prevent outbreak or spread of epidemic disease at fairs, places of pilgrimage, etc., and to levy fees to provide for sanitation; expenses when recoverable from Municipality; enforcement of orders; penalty - - - - - „ ss. 45, 50, 55, 69.

INFECTIOUS DISEASE—*cont.*
Bombay City and Port:
Power to notify dangerous diseases — Bom.Act6,1867,section12.
Power to establish sanitaria and appoint establishments therefor — „ s.1.
Appointment of Port Health Officer; his subordination to Consulting Officer of Health — „ s.2.
Power of Health Officer, or Magistrate acting on medical certificate, to require sufferer in place of public resort or on vessel to go to sanitarium — „ ss.3to5,Sch.A.
Removal of sufferer to sanitarium from vessel — „ ss.6,8(am.Act 16,1895),Sch.B.
Inspection of vessels by Health Officer — „ s.7.
Disinfection of vessels, and recovery of expenses — „ s.9.
Detention of sufferer in sanitarium until discharge under certificate — „ s.10.
Power of Local Government to make rules as to management of sanitaria, disinfection or destruction of property of sufferers, and disinfection of vessels — „ s.11.
Delegation of Health Officers' powers — „ s.13.
Power of Local Government to make special orders as to vessels to prevent spread of disease — „ s.14.
Executive Health Officer of Bombay City Municipality to be Consulting Officer of Health under Bom. Act 6, 1867 — Bom.Act3,1888,s.76.
Report by rural policemen of outbreak of cholera, small-pox or other epidemic disease — (As.) Reg.1,1883,s.18(*g*).
See also LEPER; VACCINATION.
Among animals. *See* ANIMAL, A.

INFIRMARY FOR ANIMALS. *See* CRUELTY TO ANIMALS, 1, 3.

INHERITANCE REGULATION (BENGAL), 1793.[1] (*See* SUCCESSION) — Ben.Reg.11,1793.
„ „ „ 1800.[1] — Ben.Reg.10,1800.

INJUNCTION.
See CIVIL PROCEDURE, 5; PREVENTIVE RELIEF; SPECIFIC RELIEF.

INLAND BONDED WAREHOUSES ACT, 1896. [*See* CUSTOMS (SEA)] — Act8,1896.
„ CUSTOMS. *See* CUSTOMS; CUSTOMS (INLAND); SALT.
„ EMIGRANTS' HEALTH ACT, 1889. (*See* EMIGRATION) — Ben.Act1,1889.
„ EMIGRATION ACT, 1893. (*See* EMIGRATION) — Act7,1893.
„ STEAM-VESSELS ACT, 1884 — Act6,1884.

INLAND STEAM-VESSELS.
Act extends to whole of British India except Madras Presidency; power to extend it to that Presidency by notification — Act 6, 1884, sections1, 2.
Definitions — „ s.5(am.Act3, 1890,s.1).
Power to define "tidal water" — „ s.65.
Survey — „ ss.6to8,8A,9to21, Sch.II(rep.in pt. and am.Act3, 1890).
Examination of, and grant of certificates of competency to, officers — „ ss.22to25(am. Act13,1891,s.1).

[1] This short title was given by Act 5, 1897, s. 4.

INLAND STEAM-VESSELS—*cont.*

Grant of certificates of service to officers - - - - Act6,1884,s.25A(ins.Act 13,1891,s.1).

Certificates of officers; form and record of - - - - „ s.26 (am.Act13, 1891,s.1).

„ „ loss of - - - - - „ s.27 (am.Act13, 1891,s.1).

„ „ nature of certificates required in case of different vessels - - - - - „ s.28 (am.Act13, 1891,s.1).

„ „ power to make rules as to - - - „ s.29 (am.Act13, 1891,s.1).

„ „ suspension and cancellation of - - „ s.43(am.Act13, 1891,s.2),ss. 44to46.

Certificated masters deemed pilots under Indian Ports Act, 10 of 1889, s. 31 - - - - - - - „ s.68.

Investigation into casualties and into misconduct of officers - - „ ss.30to40.

Protection of vessels from danger by fire - - - - - „ ss.47to50.

Carriage of passengers - - - - - - „ s.51,s.51A(ad. Act3,1890,s.12).

Offences and penalties - - - - - - „ ss.52to54,s.54A (ins.Act3,1890, s.113),55to59.

Distress of vessel for recovery of fine - - - - „ s.60.

Recovery of fees - - - - - - - - „ s.66.

Jurisdiction and place of trial - - - - - „ ss.61,62.

Prosecutions under other laws not barred, but only one punishment allowed - - - - - - - - „ s.63.

Power to exempt vessels from Chapter II (ss. 6 to 21) and Chapter III (ss. 22 to 29) - - - - - - „ s.64.

Government vessels exempted from operation of Act - - - „ s.67.

Procedure for making and publishing rules under Act - - - „ s.69.

Powers of Rangoon Port Commissioners under Act 6, 1884 - - Act15,1879,s.43(am.Act6, 1884, s.4).

Emigrant vessels: control over.. *See* EMIGRATION, B, 2 (5).

INOCULATION.

Defined. *See* WORDS AND PHRASES.

See VACCINATION, I, 4; II, 5; III, 5.

INQUEST.

By Coroner. *See* CORONER.

By Magistrates and police. *See* CRIMINAL PROCEDURE (INDIAN), 7.

By police patel, Bombay Presidency. *See* POLICE, III, B.

By village headman - - - - - - - - Mad.Reg.11,1816,s.13.

On body of prisoner dying in civil jail - - - - Bom.Act2,1874,s.15(am. Bom.Act2, 1882,s.1).

INSOLVENCY ACT (INDIAN), 1848[1] - - - - - - 11-2V.c.21.

INSOLVENCY.

Validation of payment, etc., under power-of-attorney without notice of insolvency of donor - - - - - - Act7,1882,s.3.

[1] This short title was given by *59 & 60* Vict. c. 14.

INSOLVENCY—*cont.*

A.—PRESIDENCY-TOWNS.

1. Courts.

Continuance of Courts at Calcutta, Madras and Bombay	11-2 V. c. 21,	section 2.
Judge of High Court to be Judge of Court	,,	ss.2,3.
Court when to sit; general power of adjournment	,,	ss.3,4.
Officers of Court	,,	ss.2,4.
Officers of Courts to allow inspection of proceedings, give copies, etc.; certified copies to be evidence	,,	s.74.
Rules of practice and fees	,,	ss.2to4.
,, general power to make	,,	s.76.
Rules, etc., to be in force till 14 days after notice of disallowance	,,	s.91.
Right of audience	,,	s.3.
Sealing of records	,,	s.4.
Procedure generally	,,	ss.35to37,47, 59,60.
Taking of evidence; power to compel appearance	,,	ss.4,72.
Contempts	,,	s.4.
Provisions as to costs	,,	ss.4,54,61, 73,86.
Appeal to High Court	,,	s.73.

2. Proceedings against Debtor.

(*a*) *Preliminary Proceedings.*

What deemed act of insolvency	,,	ss.8,9.
Debtor's petition	,,	s.5,Schs.A,B.
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Debtor; schedule of affairs of	,,	ss.6,12,Sch.C.

(*b*) *Composition or Arbitration.*

Power of assignee to take composition and submit disputes to arbitration	,,	s.28.

(*c*) *Protection, Imprisonment, Discharge, etc.*

Interim order of protection	,,	ss.13,47.
Imprisonment in case of fraud, etc.	,,	ss.47,50to53,56 to58.
Dismissal of petition	,,	s.47.
Discharge	,,	ss.47to52,56,57, 59to61,Sch.E.
Power of Court to order judgment to be entered against insolvent before discharge; execution on such judgment; satisfaction of judgment	,,	ss.86,87.
Stay of suits, etc.	,,	ss.49,61.
Further examination of insolvent, at instance of assignee, after discharge	,,	s.58.

3. Administration of Property.

(*a*) *Assignees.*

Official assignee; appointment, powers, etc., of	,,	ss.14to16.
,, ,, vesting of debtor's property in	,,	ss.7,11.

INSOLVENCY—*cont.*

A.—PRESIDENCY-TOWNS—*cont.*

3. Administration of Property—*cont.*

(*a*) *Assignees*—cont.

Special assignees; election of, by creditors	11-2 V. c. 21,	section17.
Assignee; removal of, and appointment or election of others	„	s.18.
„ remuneration of	„	s.19.
„ rights, powers, etc., of assignee continued to his successor; actions, etc., not to abate by death, etc., of assignee	„	s.20.
„ to take possession of and realise estates	„	s.21.
„ power of, to institute and defend suits	„	s.29.
„ powers of insolvent vested in	„	s.30.
„ to keep accounts and produce books, etc.	„	s.33.
„ liabilities and punishment of	„	ss.34,45.

(*b*) *Mode of Administration.*

What debts provable	„	s.40.
Mutual credit and set-off	„	s.39.
Bar to distress for rent	„	s.22.
Property in order and disposition of insolvent deemed his property; proviso as to ships	„	s.23.
Avoidance of fraudulent conveyances	„	s.24.
Transfer of stock, property, debts, etc., to assignee	„	ss.25,26.
Payment of portion of salary or pension to official assignee	„	s.27.
Vesting of saleable offices in assignee		
Sale of insolvent's property; power to direct management or mortgage, instead of sale	„	ss.31,32.
Dividends	„	ss.38,41,43to46.
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4. Miscellaneous.

Act not to affect debts, penalties, etc., due to Crown	„	s.62.
Special provisions as to insolvent married women	„	s.63.
„ „ „ „ lunatics	„	s.64.
Affidavits and affirmations	„	s.68.
Penalty for perjury or forgery	„	s.69.
„ on insolvent, etc., for embezzlement or for concealment, etc., of effects, books, etc.	„	s.70.
Application of fines for benefit of creditors	„	s.71.
Exemptions from stamp-duty	„	s.75.
Effect in England of insolvency proceedings had in India, and *vice versâ*	„	ss.77to85.
Enforcement in India of warrant of Bankruptcy Court in England	46-7V.c.52,s.119.	
Interpretation	11-2V.c.21,s.92.	
Disposal of unclaimed dividends	Act27,1841,ss.1,2.	
Saving of Act 27, 1841	11-2V.c.21,s.94.	
Jurisdiction of High Court as an Insolvent Court not affected by Code of Civil Procedure	Act14,1882,s.638.	

B.—ELSEWHERE.

See CIVIL PROCEDURE, 2, 3; DEKKHAN AGRICULTURISTS, 2; RECORDER OF RANGOON; PUNJAB, 2.

INSPECTION.
Powers of, in municipalities. *See cross-references from* ENTRY AND INSPECTION.
Of Railways. *See* RAILWAY, 2.

INSTRUMENT; definition of various kinds of. *See* WORDS AND PHRASES.

INSULT. *See* CRIMINAL LAW (INDIAN), 21.

INSURANCE. *See* POLICY.

INTEREST.
Acts 32, 1839, and 28, 1855, declared in force throughout British India, except as regards the Scheduled Districts — Act 15, 1874, s. 3.
Act 32, 1839, declared in force in the Arakan Hill District — „ s. 3. Reg. 9, 1874, s. 3.
Power of Courts to allow — Act 32, 1839.
Rate of, to be allowed by Courts — Act 28, 1855, ss. 2, 3.
„ in case of deposit of sum due on mortgage on conditional sale of land — „ s. 5.
„ on adjustments of accounts — „ s. 6.
Contract for usufruct of property in lieu of, binding — „ s. 4.
Limitation on amount of, which may be decreed—
in Ajmere — Reg. 3, 1877, s. 33.
in Angul — Reg. 1, 1894, s. 32.
To cease after tender of payment of debt — Bom. Reg. 5, 1827, s. 14.
Amount of, allowable in British Baluchistan — Reg. 9, 1896, s. 50.
Rate of, to be allowed in suit under Dekkhan Agriculturists Relief Act — Act 17, 1879, s. 71A (ins. Act 6, 1895, s. 17).
Rate of, allowed under Jhansi Incumbered Estates Act. *See* INCUMBERED ESTATES, VII, 2.
Rate of, in Santhál Parganas — Reg. 3, 1872, s. 6 (am. Reg. 5, 1893, s. 24).
Payment of, by Railway Company out of capital. *See* RAILWAY, 10.

INTERNATIONAL COPYRIGHT ACT, 1844.[1] (*See* COPYRIGHT, 5) — 7-8 V. c. 12.
„ „ „ 1852.[1] (*See* COPYRIGHT, 5) — 15-6 V. c. 12.
„ „ „ 1886. (*See* COPYRIGHT, 5) — 49-50 V. c. 33.

INTERPRETATION ACT, 1889. (*See* ACTS OF PARLIAMENT) — 52-3 V. c. 63.

INTERPRETATION OF TERMS.
See ACTS OF PARLIAMENT, 2; ACTS AND REGULATIONS, ETC., 2; WORDS AND PHRASES.

INTESTACY.
Devolution of property on. *See* SUCCESSION, 5.

INTIMIDATION. *See* CRIMINAL LAW (INDIAN), 21.

INTOXICATION.
When it excuses from liability for offence — Act 45, 1860, ss. 85, 86.

INVENTIONS AND DESIGNS ACT, 1888. (*See* DESIGNS; INVENTION) — Act 5, 1888.

INVENTION.
Act 5, 1888, extends to whole of British India — Act 5, 1888, s. 1.
„ „ declared in force in British Baluchistan — Reg. 1, 1890, s. 3.
Definitions — Act 5, 1888, s. 4.

[1] This short title was given by 59 & 60 Vict. c. 14.

INVENTION—*cont.*

Application for leave to file, and order thereon to file, specification of — Act 5, 1888, ss.5to7,9to 11,16,45, 46,Schs. II,III,IV.
Amendment of specification — „ ss.18,19,45,46.
Exclusive privilege of making, selling and using:
Acquisition and continuance of — „ s.8,Sch.IV.
Not to be granted if invention useless, not new, etc. — „ s.20.
Meaning of "new invention"; effect of public use or knowledge in certain cases — „ ss.21to26.
Extension of — „ ss.15,16,Sch.IV.
Assignment of — „ s.44.
Government bound by — „ s.17.
Suit for infringement of — „ ss.29,37,39.
Cessation of — „ ss.27,28.
„ registration of — „ s.40.
Application to High Court to declare that exclusive privilege was not acquired, or that it has ceased — „ ss.30to37,39,42
Suit in District Court in case of fraud, etc., for decree declaring exclusive privilege to be vested in actual inventor — „ ss.38,39.
Power of Government to require grant of licenses by holder of — „ s.43.
Register of inventions, and address-book; keeping and rectification of — „ ss.12to14,41,42.
Employment of agents in proceedings under Act — „ s.47.
Fees payable to Government in respect of proceedings under Act — „ s.48,Sch.IV.
Power of Governor General in Council to make rules for working Act and to amend forms — „ s.49.

IRRIGATION ACT (BENGAL), 1876. (*See* DRAINAGE; IRRIGATION) — Ben.Act3,1876.
„ „ (BOMBAY), 1879. (*See* „ „) — Bom.Act7,1879.
„ REGULATION (AJMERE), 1887. (*See* IRRIGATION) — Reg.8,1887.

IRRIGATION.

1858. Act 1 (Canals, Madras Presidency).
1864. Mad. Act 2, s. 1 (Recovery of dues for water, Madras Presidency).
1865. Mad. Act 7 (Cesses, Madras Presidency).
„ Mad. Act 8, s. 2 (Recovery of arrears of cess, Madras Presidency).
1873. Act 8, ss. 3 to 48, 63 to end (Canals and Drainage, Central Provinces, North-Western Provinces, Oudh and Punjab).
1874. Act 15, s. 4 (Laws Local Extent).
1876. Ben. Act 3, ss. 1 to 39, 46 to end (Irrigation and Drainage, Bengal).
1877. Reg. 2, s. 5 (Land and Revenue, Ajmere).
1879. Bom. Act 5, s. 37 (Canals).
„ Bom. Act 7, except ss. 12 to 15 (Irrigation and Drainage, Bombay Presidency).
1884. Mad. Act 6, s. 20 (Rivers Conservancy).
1887. Reg. 8 (Irrigation, Ajmere).
1889. Reg. 3, ss. 34 to 46, 53 (Land and Revenue, Upper Burma).

I.—AJMERE — .....
II.—UPPER BURMA — .....
III.—BENGAL, IV.—BOMBAY PRESIDENCY, V.—CENTRAL PROVINCES, NORTH-WESTERN PROVINCES, OUDH, PUNJAB, VI.—MADRAS PRESIDENCY
1. Preliminary.
2. Application of water for public purposes.
3. Construction, maintenance, etc., of works.
4. Supply of water.
5. Supplemental.
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IRRIGATION—*cont.*

I.—AJMERE.

Definitions - - - - - - - - - Reg.8,1887,s.2.
Power to make rules as to assessment, collection, etc., of water-revenue, distribution of water, repair of tanks, etc. - - „ s.4.
Assessment to water-revenue of irrigation due to percolation from tank, etc. - - - - - - - - - „ s.3.
Recovery of water-revenue, etc. - - - - - - „ s.5.
Government presumed to be entitled to exclusive use and control of water flowing in natural channels, of natural collections of water and of tanks constructed by Government; limitation of jurisdiction of Civil Courts - - - - - - Reg.2,1877,s.5. Reg.8,1887,s.6(*1*).
Bar to jurisdiction of Civil Courts in claims arising under Reg. 8, 1887 - - - - - - - - - Reg.8,1887,s.6(*2*).

II.—UPPER BURMA.

Water-rate imposed on lands irrigated from irrigation-works controlled and maintained by the State - - - - - Reg.3,1889,section34.
Power of Government to assume control and maintenance of any irrigation-work; compensation - - - - - „ s.34(*3*).
Record to be made by Collector as to irrigation-works; power to make rules for enforcement of customs, liabilities and obligations so recorded - - - - - - - - - „ s.36.
Recovery of water-rate and tolls - - - - - „ ss.37to46.
Bar to jurisdiction of Civil Courts - - - - - „ s.53(*ix*).

III.—BENGAL.

1. Preliminary.

Act applicable only to districts to which extended by Local Government - - - - - - - - - Ben.Act3,1876,s.1.
Embankments, etc., dealt with by Ben. Act 3, 1876, not affected by—
Bengal Embankment Act, 1873 - - - - - „ s.4.
Bengal Embankment Act, 1882 - - - - - Ben.Act2,1882,s.91.
Definitions - - - - - - - - - Ben.Act3,1876,ss.3,46.
Appointment of officers, etc. - - - - - - „ s.5.

2. Application of water for public purposes.

Power of Local Government to declare that water will be applied or used for purposes of canal - - - - - - „ s.6.
Powers of Canal Officer after issue of such declaration - - „ s.7.
Compensation:
Invitation of claims for; delivery of statement of interests, under penalty - - - - - - - - „ ss.8to10.
For what matters to be given - - - - - „ ss.11,31.
Diminution in market-value to be considered in determining amount - - - - - - - - „ s.11.
Where supply of drinking water deteriorated by works, new supply to be provided and no further compensation allowed - - „ s.12.
Limitation of claims for - - - - - - „ s.13.
Enquiry into claims, and determination of amount - - „ ss.14to21.
Apportionment of - - - - - - - „ ss.22to24.

IRRIGATION—*cont.*

III.—BENGAL—*cont.*

2. Application of water for public purposes—*cont.*

Compensation—*cont.*:
- Making of payment; interest when allowed; investment of money in Government securities; Government not liable for further claims; payee's liability to others not affected — Ben. Act 3, 1876, ss. 25 to 27, 30.
- Service of notices — „ s. 32.

Abatement or enhancement of rent on interruption of water-supply — „ ss. 28, 29.

Restriction on acquisition as against Government of certain rights to supply of water — „ s. 11.

3. Construction, maintenance, etc., of works.

Powers of Canal Officer for purposes of enquiry relating to existing or projected work, or for purposes of regulation or management of canal; power to enter upon land to prevent or repair accident to canal, etc.; notice of entry; compensation for damage — ss. 33 to 38.

Provision of means for crossing Government canal, and of bridges, etc., to prevent drainage of adjacent lands being obstructed by canal — „ s. 39.

Village-channels for leading water from canal:
- Definition of "village-channel" — „ s. 3(2).
- "Person" includes persons acting jointly — „ s. 46.
- Registration of channels and ownership thereof — „ ss. 47, 54 to 56, 60 to 65.
- How acquired — „ s. 48.
- Construction of, with consent of owners and occupiers of land required therefor — „ s. 49.
- „ without such consent, by intervention of Canal Officer — „ ss. 50 to 53.
- Transfer of ownership of, to secure proper management of irrigation; admission of persons as joint owners of; compensation or rent payable to former owner — „ ss. 54 to 57.
- Person acquiring, etc., channel under ss. 48 to 55 deemed owner of channel — „ s. 58.
- Obligations and rights of owner of — „ s. 59.
- Execution of repairs or other works in default of owner; power to disqualify channel to be medium for conveyance of canal-water, on continued default of owner — „ s. 60.
- Resignation and transfer of owner's interest in — „ ss. 61, 62.
- Procedure on death of owner — „ ss. 63, 64.
- Interest of joint owners in channel equal, unless unequal interests registered — „ s. 65.
- Supply of water through channel to person not owning same — „ ss. 66 to 71.
- Land acquired for channel not to be used for other purposes without consent of Canal Officer — „ s. 72.
- Recovery of dues — „ s. 73 (pt. rep. Ben. Act 7, 1880).
- Settlement of differences as to mutual rights and liabilities of persons interested in channel — „ ss. 87 to 89.

IRRIGATION—*cont.*

III.—BENGAL—*cont.*

4. Supply of water.

Water not to be supplied from canal except on written application accepting rules made under Act; form for granting application	Ben. Act 3, 1876,	ss. 74, 75, Schs. B, C.
Conditions to which such rules are subject:		
Power to stop water-supply	„	s. 76(*a*).
Remission of charges, or compensation, for interruption of supply	„	s. 76(*b*), (*c*).
Duration of supply	„	s. 76(*d*).
Transfer of right to use water	„	s. 76(*e*).
Power of Canal Officer to supply water for purposes other than irrigation	„	s. 77.
Water-rates:		
Determination of	„	s. 78.
Liability when person using water unauthorisedly, or allowing water to run to waste, cannot be found	„	ss. 79 to 81.
Collection of, through agents; recovery of; procedure in case of excessive distraint	„	ss. 82 to 85 (pt. rep. Ben. Act 7, 1880), s. 86.
Power of Canal Officer to measure land, etc.; notice; compensation for damage	„	ss. 34 to 38.
Jurisdiction in suits relative to	„	s. 90.

5. Supplemental.

Appeal and supervision	„	s. 91.
Power of officers to summon and examine witnesses	„	s. 92.
Penalties; removal of obstruction or repair of damage by convicted person; arrest; saving of prosecutions under other laws; compensation and rewards payable out of fines	„	ss. 93 to 98.
Making and publication of subsidiary rules	„	s. 99.

IV.—BOMBAY PRESIDENCY.

1. Preliminary.

Definitions	Bom. Act 7, 1879,	section 3.
Appointment of officers, etc.	„	s. 4.
All canals not the property of others declared to belong to Government; saving of private rights, etc.; disposal of such canals	Bom. Act 5, 1879,	s. 37.

2. Application of water for public purposes.

Power of Local Government to declare that water will be applied or used for purposes of canal	Bom. Act 7, 1879,	section 5.
Powers of Canal Officer after issue of such declaration	„	s. 6.

3. Construction, maintenance, etc., of works.

Powers of Canal Officer for purposes of enquiry relating to projected canal or to maintenance of existing canal, or for purposes of regulation or management of canal; power to enter upon land to prevent or repair accident to canal; notice of entry	„	ss. 7 to 10.
Provision of means for crossing canal, and of bridges, etc., to prevent drainage of adjacent lands being obstructed by canal	„	s. 11.
Procedure for obtaining labour for canal on emergency	„	ss. 58 to 60.

IRRIGATION—*cont.*

IV.—BOMBAY PRESIDENCY—*cont.*

3. Construction, maintenance, etc., of works—*cont.*

Water-courses for leading water from canal:
- Construction of, with consent of holder of land required therefor — Bom. Act 7, 1879, section 16.
- „ without such consent, by intervention of Canal Officer — „ ss. 17 to 20.
- Obligations and rights of owner of — „ s. 21.
- Supply of water through water-course to person not owning same; power to declare such person to be joint owner of water-course, on conditions as to payment of compensation or rent, etc. — „ ss. 22, 23.
- Land acquired for water-course not to be used for other purposes without consent of Canal Officer — s. 24.
- Execution of repairs or other works in default of owner; recovery of cost — s. 25.
- Settlement of disputes as to mutual rights and liabilities of persons interested in — s. 26.

4. Supply of Water.

- Form of application for; power of Canal Officer to supply water for purposes other than irrigation — „ s. 27.
- Power to stop — „ s. 28.
- Duration of — „ s. 29.
- Transfer of right to use water — „ s. 30.
- Payment and recovery of rent payable to owner for use of water-course — „ s. 57.

Water-rates:
- Determination of; rates by whom payable — „ s. 44.
- Liability when person using water unauthorisedly, or allowing water to run to waste, cannot be found — „ ss. 45 to 47.
- Charging of rate when land derives benefit from canal by percolation, etc. — „ s. 48.
- Payment and recovery of — „ s. 57.
- Remission of — „ s. 31.
- Power of Canal Officer to measure land, etc.; notice of entry — „ ss. 8, 10.

5. Supplemental.

Compensation:
- In what cases payable, for damage caused by exercise of powers under Act — „ s. 31.
- Limitation of claims — „ s. 32.
- Claims to; summary decision of; payments when to be made — „ ss. 34 to 36.
- „ invitation and formal adjudication of; diminution of market-value to be considered; payment when to be made; interest when allowed on payments — „ ss. 37 to 41.
- Abatement of land-revenue on interruption of water-supply — „ s. 42.
- Abatement of rent on interruption of water-supply, and enhancement to former rate on restoration of water-supply — „ s. 43.

Penalties — „ ss. 61, 62.
Removal of obstruction or repair of damage by convicted person — „ s. 63.
Arrest — „ s. 64.
Saving of prosecutions under other laws — „ s. 65.

IRRIGATION—*cont.*

IV.—BOMBAY PRESIDENCY—*cont.*

5. Supplemental—*cont.*

Reward of informers	Bom. Act 7, 1879,	section 66.
Appeal and supervision	„	s. 67.
Power of officers to summon and examine witnesses	„	s. 68.
Service of notices	„	s. 69.
Making and publication of subsidiary rules	„	s. 70.
Act not to apply to canals, etc., vested in Municipality	„	s. 71.

V.—CENTRAL PROVINCES, N.-W. PROVINCES, OUDH AND PUNJAB.

1. Preliminary.

Definitions	Act 8, 1873,	sections 3, 63, 74.
Appointment of officers, etc.	„	s. 4.

2. Application of water for public purposes.

Power of Local Government to declare that water will be applied or used for purposes of canal	„	s. 5.
Powers of Canal Officer after issue of such declaration	„	s. 6.
Compensation: for what matters to be given; limitation of claims; enquiry into claims and determination of amount; payments when to be made; interest when allowed on payments	„	ss. 7 to 10, 13.
Abatement or enhancement of rent on interruption or restoration of water-supply	„	ss. 11, 12.

3. Construction, maintenance, etc., of works.

Powers of Canal Officer for purposes of enquiry relating to existing or projected canal, or for purposes of regulation or management of canal or water-supply; notice of, and compensation for, damage	„	s. 14.
Power of Divisional Canal Officer to enter upon lands to repair or prevent accident to canal; compensation	„	s. 15.
Government to provide means of crossing its canals	„	s. 17.
Execution, on application, of works for supplying water from canal; recovery of cost of works	„	s. 16.
Construction or repair of works for passing water across roads, etc., when water supplied from canal; recovery of cost when work undertaken by Canal Officer	„	s. 18.
Adjustment of claims between persons jointly supplied with water; recovery of sums ordered to be paid	„	s. 19.
Supply of water through intervening water-course	„	s. 20.
Construction of new water-course through land of another owner, and transfer of water-course from one owner to another; compensation to be paid; recovery of compensation and expenses; conditions binding on person placed in occupation	„	ss. 21 to 29.
Ss. 21 to 29 to apply also to occupation of land for extension or alteration of water-course or for deposit of soil from water-course clearances	„	s. 30.
Settlement of differences as to mutual rights and liabilities of persons interested in water-course	„	s. 68.
Procedure for obtaining labour for canal on emergency	„	ss. 63 to 66.

IRRIGATION—*cont.*

V.—CENTRAL PROVINCES, N.-W. PROVINCES, OUDH AND PUNJAB—*cont.*

4. Supply of water.

In absence of written contract, water-supply to be subject to rules made under Act	Act 8, 1873,	section 31.
Conditions to which contracts and such rules are subject :		
Power to stop water-supply	,,	s.32(*a*).
Remission of charges, or compensation, for interruption of supply	,,	s.32(*b*),(*c*).
Duration of supply	,,	s.32(*d*).
Sale or sub-letting of right to use water	,,	s.32(*e*).
No right acquired by user Government not bound to supply water except under written contract	,,	s.32(*f*).
Water-rates :		
Occupier's rate ; fixing of	,,	s.36.
Owner's rate ; fixing of	,,	s.37.
,, ,, limit to	,,	s.38.
,, ,, not chargeable during currency of assessment when land temporarily assessed to pay land-revenue at irrigation rates	,,	s.39.
,, ,, when to be paid by owner	,,	s.42 (rep. in Punjab, Act 16, 1887).
,, ,, apportionment of	,,	s.41 (rep. in Punjab, Act 16, 1887).
Payment of both rates by occupier	,,	s.40(rep.in Punjab,Act16,1887).
Rates by whom payable when charged on land held by joint owners	,,	s.44.
Liability when person using water unauthorizedly, or allowing water to run to waste, cannot be found	,,	ss.33to35.
Recovery of ; collection of, through agent, lambardar, etc.	,,	ss.45to48.
Power of Canal Officer to measure land, etc. ; notice ; compensation for damage	,,	s.14.
Effect of introduction of canal-irrigation on landlord's right to enhance rent	,,	s.43(rep.in.Punjab,Act16,1887).

5. Supplemental.

Jurisdiction of Civil Courts	,,	s.67.
Power of officers to summon and examine witnesses	,,	s.69.
Penalties	,,	s.70.
Saving of prosecutions under other laws	,,	s.71.
Compensation payable out of fines	,,	s.72.
Arrest without warrant	,,	s.73.
Making and publication of subsidiary rules	,,	s.75.

VI.—MADRAS PRESIDENCY.

Act 1, 1858, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts	Act15,1874,s.4.	
Procedure for obtaining on emergency—		
compulsory labour for canal, etc.	Act1,1858,ss.1to4,6.	
materials for repair of canal, etc.		s.5.

IRRIGATION—*cont.*

VI.—MADRAS PRESIDENCY—*cont.*

Conservator of Rivers under Mad. Act 6, 1884, to have powers under Act 1, 1858	Mad.Act6,1884,s.20.
Power to levy cess on land irrigated from channel, etc., belonging to or constructed by Government	Mad.Act7,1865,ss.1,4.
„ make rules as to rate of and levy of such cess	„ s.1.
Cess not to be levied in certain cases	„ s.4.
Cesses or other dues payable to Government on account of water supplied for irrigation are recoverable as arrears of land-revenue	Mad.Act2,1864,s.1. Mad.Act8,1865,s.2.

Protection of railway from escape of water. *See* RAILWAY, 3.

ISTIMRARDAR, AJMERE.

Definition of "Istimrari estate" amd "Istimrardar"	Reg. 2,1877,s.20.
Tenants of, presumed to be tenants-at-will	„ s.21.
Estate of; restrictions on alienation or charging of	„ s.22.
„ special rules as to succession to	„ ss.23,24.
„ „ „ „ acquisition of land in, for public purposes	„ s.26.
„ application of Ajmere Patwari Regulation, 1895, to, and withdrawal of Regulation from	Reg.3,1895,ss.1(2),3(6), Sch.
Settlement of claims against, for maintenance	Reg.2,1877,s.25.
Privileges of, in criminal and civil proceedings	„ ss.27,28.
Decree for money not to be executed after death of, or passed against his representative	„ s.29.
Application of Reg. 2, 1877, ss. 22 to 29, to newly-created istimrardars	„ s.30.

JAGIRDARS.

In Ajmere. *See* TALUQDARS, THAKURS AND JAGIRDARS.

In Bombay Presidency; judicial powers of. *See* CIVIL COURTS, VI, B.

In Sind. *See* INCUMBERED ESTATES, IV.

JAIL. *See* PRISON.

JALPAIGORI AND DARJEELING DISTRICTS.

Are Scheduled Districts	Act14,1874,s.1,Sch.I, Pt.III(am.Act12, 1891). Act15,1874,s.2,Sch.VI, Pt.III(am.Act12, 1891).

JHANSI AND MORAR ACT, 1886. (*See* JHANSI DISTRICT; MORAR CANTONMENT) Act17,1886.

JHANSI DISTRICT.

Annexation to, of town and fort of Jhansi and other lands ceded by Gwalior State	Act 17, 1886, section 2.
Application of Jhansi laws to the said town, etc.; transitory provisions as to execution of decrees, limitation, pending suits, registration and stamp laws	„ ss. 3to9(am.Act 20,1890,s.7).

See also INCUMBERED ESTATES, VII.

JHANSI DIVISION.

Annexation of, to Allahabad Division assimilation of laws	Act20,1890,s.5

JHANSI DIVISION—*cont.*
No longer a Scheduled District - - - - - Act20,1890,s.8.
Application of Act 12, 1887 (Civil Courts), to cases pending in - „ s.9.
JHUM REGULATION (SYLHET), 1891. (*See* SHIFTING CULTIVATION)- Reg.3,1891.
JUDGE.
Power of Government to appoint Judge to be construed as including power to appoint acting Judge; acting Judge to have same powers and duties as permanent Judge - - - - - Act16,1867.
Validation of judgments, etc., passed by Sessions Judges and additional Sessions Judges - - - - - - - Act19,1871,s.7.
Appointment, powers, etc., of —
Civil Judges. *See* CIVIL COURTS.
Criminal Judges. *See* CRIMINAL PROCEDURE.
High Court Judges. *See* HIGH COURT.
See also PUBLIC OFFICER.
JUDICIAL COMMISSIONER.
Appointment, powers, etc., of:
In British Baluchistan. *See* CIVIL COURTS, VII; CIVIL PROCEDURE, 11 (British Baluchistan).
In Lower Burma. *See* CIVIL COURTS, VIII, 2.
In Upper Burma. *See* CIVIL COURTS, IX, A, 2; CIVIL PROCEDURE, 11 (Upper Burma).
In Central Provinces. *See* CIVIL COURTS, X, 2, 3.
In Coorg. *See* CIVIL COURTS, XI.
In Oudh. *See* CIVIL COURTS, IV, 2.
JUDICIAL COMMITTEE ACT, 1833[1] - - - - 3-4W.4,c.41.
„ „ „ 1843[1] - - - - - 6-7V.c.38.
„ „ „ 1844[1] - - - - - 7-8V.c.69.
„ „ „ 1881 - - - - - 44-5V.c.3.
„ „ AMENDMENT ACT, 1895- - - - 58-9V.c.44.
JUDICIAL COMMITTEE.
1827. Bom. Reg. 29, s. 5 (Dekkhan).
1833. 3-4 W. 4, c. 41 (Constitution).
1843. 6-7 V. c. 38 (Appeals).
1844. 7-8 V. c. 69, ss. 1, 10, 11 (Appeals).
1861-2. 24-5 V. c. 104, ss. 8, 11 (Indian Appeals).
1864. 27-8 V. c. 25, ss. 4 to 9 (Naval Prize).
1870. 33-4 V. c. 90, ss. 14, 27 (Foreign Enlistment).
1881. 44-5 V. c. 3 (Constitution).
1882. Act 14, ss. 594 to 598, 600 to 616 (Civil Procedure Code).
1887. 50-1 V. c. 70, ss. 3, 4 (Constitution, etc.).
1890. 53-4 V. c. 27 (Colonial Courts of Admiralty).
1895. 58-9 V. c. 44 (Constitution).
1. Constitution.
2. Jurisdiction and Procedure.

1. Constitution.

Formation of Judicial Committee of Privy Council - - - 3-4W.4,c.41,s.1. 50-1V.c.70,s.3.
Judges and retired Judges of Court of Appeal, if Privy Councillors, to be members - - - - - - - - 44-5V.c.3.
Certain Colonial Judges, if Privy Councillors, to be members - 58-9V.c.44.
Allowance to two retired Indian or colonial Judges, or to Judge - 3-4W.4,c.41,s30. 50-1V.c.70,s.4.

[1] This short title was given by 59 & 60 Vict. c. 14.

JUDICIAL COMMITTEE—*cont.*

1. Constitution—*cont.*

Power to summon other members of Council - - - 3-4W.4,c.41,ss.5,6.
Registrar; appointment and duties of - - - - „ s.18.
„ in maritime appeals. *See below*, **2** (*c*), (3).
Officers for execution of process; appointment of - - - 6-7V.c.38,s.15.

2. Jurisdiction and Procedure.

(*a*) *Appellate Jurisdiction of Her Majesty in Council.*

Appeals to Her Majesty in Council—
from Indian Courts - - - - - - - 24-5V.c.104,section11. Act14,1882,ss.594to597, 614,616. Bom.Reg.29,1827,s.5.
from Colonial Courts of Admiralty and Vice-Admiralty Courts in British Possessions, and from Courts under Foreign Jurisdiction Acts - - - - - - - - 53-4V.c.27,ss.6,9,12.
in prize causes - - - - - - - - 3-4W.4,c.41,s.31. 27-8V.c.25,s.5. 53-4V.c.27,ss.16,18, Schs.1,2.
under Foreign Enlistment Act - - - - - 33-4V.c.90,ss.14,27.
from Colonial Court of Admiralty at Aden, and Consuls in East Africa, in slave trade cases - - - - - - 53-4V.c.27,ss.13(*3*),16, 18,Schs.1,2.

(*b*) *Jurisdiction of Judicial Committee.*

Reference to Judicial Committee of—
appeals to Her Majesty in Council - - - - 3-4W.4,c.41,s.3.
other matters - - - - - - - „ s.4.
Reference of appeals by general order - - - - 6-7V.c.38,s.11.
Saving of powers of Privy Council - - - - - 3-4W.4,c.41,s.21.
Saving for treaties appointing persons to hear prize appeals, and orders made by them - - - - - - - „ s.31.
Grant by Committee of licence for republication of book, where republication refused after death of author. *See* COPYRIGHT, **1** (*a*).

(*c*) *Procedure.*

(1) *Generally.*
Time for appealing - - - - - - - 3-4W.4,c.41,s.20.
Power to make regulations as to procedure - - - 6-7V.c.38,s.15.
Examination of witnesses, generally - - - - 3-4W.4,c.41,sections7to9.
„ „ by commission, upon interrogatories or otherwise - - - - „ s.14.
Attendance of witnesses; production of documents; punishment for contempt - - - - - - „ ss.19,28.
Remission of cause for rehearing - - - - „ s.8.
Feigned issues, and new trials of issues - - - - „ ss.8,10to13.
Reference to registrar or other persons - - - - „ s.17.
Report to Her Majesty in Council; statement in open Court - „ ss.3,4.
Majority present to concur in judgment - - - „ s.5.

JUDICIAL COMMITTEE—*cont.*

2. Jurisdiction and Procedure—*cont.*

(*c*) *Procedure*—cont.

(1) *Generally*—cont.

Costs to be in discretion of Committee; taxation of costs - 3-4W.4,c.41,s.15. 6-7V.c.38,s.12.

Enrolment, inspection, and enforcement of orders - - 3-4W.4,c.41,ss.16,28.

(2) *Appeals from Indian and Colonial Courts* [*and see below*, (3)].

Power to make regulations as to appeals from Courts in India or East of Cape - - - - - - - - „ s.24.

Power to require copy of notes of evidence, etc., from Court in colonial or foreign dominion of Crown - - - 7-8V.c.69,ss.10,11.

Enforcement of orders on appeals from abroad - - - 3-4W.4,c.41,s.21.

Sudder Dewanny Adawlut Courts—

provisions as to appeals from - - - - „ s.24.

abolition of, on establishment of High Courts in India - 24-5V.c.104,s.8.

Appeal from Courts in India - - - - - - Act14,1882,ss.598,600 to616.

(3) *Ecclesiastical, Admiralty and Prize Appeals.*

Registrar; custody of records of Court of Delegates by - - 6-7V.c.38,section14.

Ecclesiastical appeals—

surrogates and examiners of Arches Court and Admiralty Court to be surrogates and examiners of Committee - „ *s.3.*[1]

mode of conducting appeals - - - - „ s.5.[1]

power to make regulations for procedure - - - „ s.15.[1]

powers as to interlocutory orders, *etc.* - - - - „ *s.2.*[1]

punishing contempt, compelling appearance, enforcement of orders, by attachment, committal, sequestration, etc. protection of Committee - - - - - „ s.7.[1]

inhibitions, monitions, etc. - - - - - „ ss.9,10[1]

taxation of costs - - - - - - - „ s.12.[1]

Appeals from Colonial Courts of Admiralty and Vice-Admiralty Courts, East African Courts in slave trade matters, and Courts under Foreign Jurisdiction Acts; power to make regulations; time for appeal - - - - - 53-4V.c.27,ss.6(*2*),9,12,13(*3*).

Prize appeals—

time for - - - - - - - - - 27-8V.c.25,s.8 53-4V.c.27,ss.16,18,Schs. 1,2.

procedure in, and powers of Committee - - - 27-8V.c.25,ss.5to7.

enforcement of orders in, by Admiralty and Vice-Admiralty Prize Courts - - - - - - „ ss.4,9.

JUDICIAL PROCEEDING defined. *See* WORDS AND PHRASES.

JUDICIAL SEPARATION. *See* MATRIMONIAL CAUSES, A, 3, 4; C, 3.

JURY.

Jurors to be duly impanelled and returned - - - - 1W.&M.sess.2,c.2.[2]

In criminal trials. *See* CRIMINAL PROCEDURE (INDIAN), 8 (6), 11, 12 (5).

[1] These sections are indexed because they are published in the Collection of Statutes relating to India.
[2] This Act is indexed because it is published in the Collection of Statutes relating to India.

JURY—*cont.*
In criminal trials. Coroner and his Deputy not liable to serve on Coroner's Jury. *See* CORONER. - (Bo.,Cal.)Act5,1871,s.39.
JUSTICE REGULATION (SANTHÁL PARGANAS), 1893. (*See* SANTHÁL PARGANAS) - - - - - - - - - Reg.5,1893.
JUSTICE OF THE PEACE.
Continuance in office on demise of Crown - - - - 1A.c.2.[1]
Appointment of, by Government of India and Local Governments - - - - - - - - - 33G.3,c.52,s.151. Act21,1879,s.6[am.Act12, 1891,s.2,(2),(3)]. Act10,1882,ss.22,23.
Certain persons to be, *ex-officio* - - - - - Act10,1882,s.25(am.Act3, 1884,s.1).
Suspension and removal of - - - - - - „ s.27.
Jurisdiction of, over European British subjects - - - 34-5V.c.34.
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5. Firearms, Ammunition, Opium and Forests.

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[1] This Act is indexed because it is published in the Collection of Statutes relating to India.

KACHIN HILLS (UPPER BURMA)—*cont.*

5. Firearms, Ammunition, Opium and Forests—*cont.*

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Control over coolies in. *See* MUNICIPALITY, V, 6 (*q*).

LABOUR AND EMIGRATION ACT (ASSAM), 1882.[1] (*See* EMIGRATION) Act1,1882.

[1] This short title was substituted for the original short title by Act 7, 1893, s. 2.

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LAHORE TRAMWAY. *See* TRAMWAYS, A.

„ UNIVERSITY. *See* UNIVERSITY, 3.

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LAND ACQUISITION ACT, 1894. } [*See* LAND (INDIAN LAW), A, 2] - Act1,1894.

„ „ (MINES) ACT, 1885. } [*See* LAND (INDIAN LAW), A, 2] - Act18,1885.

LAND AND REVENUE REGULATION (AJMERE), 1877. (*See* ISTAMRARDAR; LAND; LAND-REVENUE, ETC.) - - - - Reg.2,1877.

„ „ „ „ (ASSAM), 1886. (*See* FISHERY; LAND; LAND-REVENUE) - Reg.1,188.

„ „ „ „ (ASSAM), 1889. (*See* LAND) - Reg.2,1889.

„ „ „ ACT (BURMA), 1876. (*See* LAND-REVENUE, ETC.)- Act2,1876.

„ „ „ REGULATION (UPPER BURMA), 1889. (*See* LAND-REVENUE, ETC.) Reg.3,1889.

LAND IMPROVEMENT LOANS ACT, 1888. (*See* LOAN) - - - Act19,1883.

LAND (ENGLISH LAW).

1285. 13 E. 1 (*Stat. Westm. sec.*), c. 1 (Entail).[1]

1289-90. 18 E. 1 (*Stat. d'ni R. de t'ris, etc.*), cc. 1, 2 (Alienation, Tenure).[1]

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Tenure after sale by tenant in fee - - - - 18E.1 (*Stat. d'ni R. de t'ris, etc.*),cc.1,2. [1]

Person entitled to use deemed seised - - - - 27H.8,c.10,ss.1to3(replocally,Act4,1882). [1]

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General permission of alienation; provisions as to lord's services in case of alienation - - - - - - - 18E.1(*Stat. d'ni R. de t'ris, etc.*),c.c.1,2. [1]

LAND (INDIAN LAW).

1837. Act 4 (Right to hold land).

1872. Reg. 3, s. 3 (Laws, Santhál Parganas).

1874. Act 15, s. 3 (Laws Local Extent).

„ Reg. 9, s. 3 (Laws, Arakan Hills).

1876. Act 2, ss. 4 to 22 (Land and Revenue, Lower Burma).

„ Act 10, ss. 4,15 (Jurisdiction of Civil Courts, Bombay).

„ Bom. Act 2, ss. 24 to 29 (Land-revenue, City of Bombay).

1877. Reg. 2, ss. 4 to 7, 26 (Land and Revenue, Ajmere).

1879. Bom. Act 5, ss. 37 to 39, 60 to 79, 82, 88, 89, 126 to 135, 216 (Land-revenue, Bombay Presidency).

„ Bom. Act 5, s. 126 (Land, Coorg).

1885. Act 18 (Land-acquisition—Mines).

1886. Reg. 1, ss. 4 to 15 (Land and Revenue, Assam).

1887. Reg. 12, s. 16 (Precious Stones, Upper Burma).

1889. Act 13, s. 26 (Cantonments).

„ Reg. 3, ss. 23 to 26, 31, 37 to 46, 53 (Land and Revenue, Upper Burma).

1894. Act 1 (Land-acquisition).

„ Reg. 1, s. 3 (Laws, Angul).

[1] These Acts are indexed because they are published in the Collection of Statutes relating to India,

LAND (INDIAN LAW)—*cont.*

A.—GENERALLY.
1. Right to hold land.
2. Compulsory Acquisition of Land.
3. Miscellaneous.
B.—AJMERE.
ANDAMANS
C.—ASSAM.
D.—BOMBAY PRESIDENCY.
E.—LOWER BURMA.
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G.—COORG.

A.—GENERALLY.

1. Right to hold land.

Act 4, 1837, declared in force—	
throughout British India, except as regards the Scheduled Districts	Act15,1874,s.3.
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Right of all British subjects to hold land	Act4,1837.

2. Compulsory Acquisition of Land.

(*a*) *Preliminary.*

Act 1, 1894, extends to whole of British India	Act1,1894,s.1.
Act 18, 1885 [Land Acquisition (Mines)]—	
extends *proprio vigore* to Bengal and Madras Presidency, and may be extended to other provinces by notification	Act18,1885,s.1.
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(*b*) *Investigation and Acquisition.*

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„ power of, to summon witnesses, etc.	„	s.14.
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„ by Court	„	ss.18to22.
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LAND (INDIAN LAW)—*cont.*

A.—GENERALLY—*cont.*

2. Compulsory Acquisition of Land—*cont.*

(*b*) *Investigation and Acquisition*—cont.

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(*c*) *Temporary occupation of land.*

Power of Local Government to require Collector to procure occupation, for public purpose or for Company, for not more than three years, on payment of compensation; reference of differences to Civil Court	Act 1, 1894,	secs. 35 to 37.
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LAND (INDIAN LAW)—*cont.*

A.—GENERALLY—*cont.*

2. Compulsory Acquisition of Land—*cont.*

(*d*) *Miscellaneous Provisions*—cont.

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„ City. „ „ XIII, 4.
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Karachi. „ „ „ VI, 3.
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3. Miscellaneous.

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Grant of land by Crown. *See* CROWN LANDS.
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LAND (INDIAN LAW)—*cont.*

C.—ASSAM.

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D.—BOMBAY PRESIDENCY.

(*a*) *Generally.*

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Bar to jurisdiction of Civil Courts in certain cases relating to land	Act10,1876,ss.4,5.	

(*b*) *Elsewhere than in City of Bombay.*

All lands not the property of others declared to belong to Government; saving of private rights, etc.; disposal of such lands; limitation of suits to set aside Collector's order	Bom.Act5,1879,ss.37,135.	
Power to assign Government lands for free pasturage of village-cattle, for forest reserves or for other public or municipal purposes; regulation of use of free pasturage	,,	ss.38,39.
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LAND (INDIAN LAW)—*cont.*

D.—BOMBAY PRESIDENCY—*cont.*

(*b*) *Elsewhere than in City of Bombay*—cont.

Villages, towns and cities—*cont.*:		
Exemption from land-revenue—*cont.*:		
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E.—LOWER BURMA.

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F.—UPPER BURMA.

"State Land;" definition of	Reg. 3, 1889,	section 23.
,, ,, cognizance of claims to, or to interest in; limitation	,,	s. 24 (am. Reg. 2, 1895, s. 2).
,, ,, incidents of tenure of; rent; power of ejectment	,,	s. 25.
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LAND (INDIAN LAW)—*cont.*

F.—UPPER BURMA—*cont.*

Right of Government to precious stones, mines, minerals, coal and earth-oil; compensation for occupation or disturbance of surface in exercise of such right - - - - - - Reg.3,1889,s.31.

G.—COORG.

Power to determine what lands are included in village, town or city, and to vary limits of same - - - - - Bom.Act5,1879,s.126.[1]

LANDHOLDER.

Definitions of. *See* WORDS AND PHRASES.

Act 2, 1853, declared in force—

throughout British India, except as regards the Scheduled Districts - - - - - - - - Act15,1874,s.3.

in the Santhál Parganas - - - - - - Reg.3,1872,s.3(am.Reg.3, 1886).

in the Arakan Hill District - - - - - Reg.9,1874,s.3.

in Upper Burma generally (except the Shan States) - - Act20,1886,s.6.

None exempted from public charges, or assessments or duties, by reason of place of birth or of descent - - - - Act2,1853.

Ben. Reg. 1, 1801, s. 10, and Act 20, 1848, declared in force—

throughout Bengal, except as regards the Scheduled Districts - Act15,1874,s.6.

in the Santhál Parganas - - - - - - Reg.3,1872,s.3(am.Reg.3, 1886).

Ben. Reg. 12, 1817, declared in force in Santhál Parganas - -

Power of Collector to require attendance of - - - - Ben.Reg.1,1801,s.10.

Power of Collector to require attendance of native agents employed by proprietors of estates, and to examine their accounts - - Ben.Reg.12,1817,s.29.

General power of Collector, with sanction of Board of Revenue, to require attendance of proprietor of land or his agent and production of accounts; penalty - - - - - - „ ss.31,32(pt. rep.Act12, 1891).

Penalty on proprietor, etc., of land not attending when summoned by Collector; appeal - - - - - - - Act20,1848.

Prosecution of, for connivance at offence - - - - - (Cuttack)Ben Reg.13,1805.

Not to interfere in matters coming within jurisdiction of Courts. *See* COURT.

Management of estates of, by Court of Wards. *See* COURT OF WARDS.

LANDING AND WHARFAGE FEES ACT (BOMBAY), 1882. (*See* PORT, II, A) Bom.Act7,1882.

LANDING-PLACES.

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LANDLORD defined. *See* WORDS AND PHRASES.

LANDLORD AND TENANT PROCEDURE ACT, 1869 - - - Ben.Act8,1869

„ „ „ „ „ (CHOTA NAGPUR) - - Ben.Act1,1879.

LANDLORD AND TENANT (ENGLISH LAW).

1540. 32 H. 8, c. 37 (Executors, etc.) [2] | 1705. 4-5 A. c. 3, ss. 9, 10 (Attornment).[2]

Recovery of arrears of rent by tenant *pur autre vie* after death of *cestui qui vie* - - - - - - - - 32H.8,c.37.[2]

[1] Extended to Coorg by notification under the Scheduled Districts Act, 1874.
[2] These Acts are indexed because they are published in the Collection of Statutes relating to India.

LANDLORD AND TENANT (ENGLISH LAW)—*cont.*

Grant of reversion good without attornment of tenant; saving for payment of rent before notice of grant - - - - } 4-5A.c.3,ss.9,10.[1]

LANDLORD AND TENANT (INDIAN LAW).

1793. [2] Ben. Reg. 8, ss. 49 to 55, 64, 65 (Leases; Rent: Bengal and Assam).
1802. Mad. Reg. 25, s. 14 (Rent).
1812. Ben. Reg. 5, ss. 2 to 4, 26, 27 (Leases; Managers; Cesses: Bengal).
„ Ben. Reg. 18, ss. 2, 3 (*2*) (Leases, Bengal).
1814. Ben. Reg. 29, ss. 2 to 5 (Ghatwals, Bengal).
1819. Reg. 8 (Patni taluqs; Leases; Sale for arrears: Bengal and Assam).
1820. Ben. Reg. 1 (Sale for arrears, Bengal and Assam).
1822. Mad. Reg. 4 (Suits).
1839. Act 7, ss. 2, 3, 5, 6 (Arrears, Madras Presidency).
1850. Act 25 (Sale for arrears, Bengal and Assam).
„ Act 33 (Sale for arrears, Bengal and Assam).
1853. Act 6 (Sales and suits for arrears, Bengal and Assam).
1859. Act 5 (Ghatwals, Bengal).
„ Act 10 (General, Bengal).
1862. Ben. Act 6 (General, Bengal).
„ Bom. Act 5 (Bhagdari and Narwadari Tenures).
1864. Mad. Act 2, ss. 11, 35, 64 (Recovery of revenue).
1865. [2] Ben. Act 8 (Sale for arrears, Bengal and Assam).
„ Bom. Act 1, s. 38 (Khots).
„ Mad. Act 8 (Recovery of rent).
1867. Ben. Act 4 (Appeals, Bengal).
1869. Ben. Act 2 (Bhuinhari and Majhahas Tenures, Chota Nagpur).
„ Ben. Act 8 (Agricultural Tenancies, Assam).
1872. Reg. 3, ss. 3, 5, 18, 20 to 22, 26 (Santhál Parganas).
1873. Act 19, ss. 69, 79 to 82, 84 (Land-revenue, North-Western Provinces).
1874. Act 15, s. 4 (Laws Local Extent).
1876. Act 10, ss. 1, 4, 5 (Suits in Civil Courts, Bombay).
„ Act 17, ss. 48, 49, 52 to 55, 101, 157 (Land-revenue, Oudh).
1876. Act 18, ss. 25, 26, 39 (*g*) (Laws, Oudh).
1877. Reg. 1, s. 29 (Record of evidence, Ajmere).
„ Reg. 2, ss. 41 to 56 (Land and Revenue, Ajmere).
1879. Ben. Act 1 (Procedure in Suits, Chota Nagpur).
„ Ben. Act 8 (Settlement-officers' powers, Bengal).
„ Bom. Act 5, ss. 58, 59, 83 to 94, 117 (General).
1880. Bom. Act 1 (Khots).
1881. Act 12 (Agricultural Tenancies, North-Western Provinces).
1882. Act 14, ss. 4, 4A (Code of Civil Procedure).
1883. Act 9 (Agricultural Tenancies, Central Provinces).
1885. Act 7, s. 2 (Panch Mahals).
„ Act 8 (Agricultural Tenancies, Bengal).
1886. Act 22 (Agricultural Tenancies, Oudh).
„ Reg. 2 (Santhál Parganas).
1887. Act 16 (Agricultural Tenancies, Punjab).
„ Act 17, ss. 110 to 135, 158 (Land-revenue, Punjab).
„ Mad. Act 1 (Compensation for Tenants' improvements, Malabar).
„ Reg. 13 (Agricultural Tenancies; Hazara District, Punjab).
1889. Act 17 (Agricultural Tenancies, Central Provinces).
„ Reg. 1, ss. 15, 39 (Collection of Revenues, Coorg).
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1895. Ben. Act 3, ss. 20, 28 to 32, 36 (Landlord's fee on transfer; Recovery of expenses of survey and record-of-rights: Bengal).
1896. Mad. Act 1 (Malabar and South East Wynaad).

[1] This Act is indexed because it is published in the Collection of Statutes relating to India.
[2] Ben. Reg. 8, 1793, has been declared in force in the districts of Sylhet and Goalpara (excluding the Eastern Dvars), and Ben. Act 8, 1865, in the district of Sylhet, by notification under the Scheduled Districts Act, 1874.

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II.—ASSAM.

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1. Rights, Powers and Obligations of Landlords and Tenants.

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[1] Ben. Act 8, 1869, has been extended to the districts of Sylhet and Goalpara by notification.

LANDLORD AND TENANT (INDIAN LAW)—*cont.*

II.—ASSAM—*cont.*

A.—UNDER THE LANDLORD AND TENANT PROCEDURE ACT, 1869—*cont.*

1. Rights, Powers and Obligations of Landlords and Tenants—*cont.*

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LANDLORD AND TENANT (INDIAN LAW)—*cont.*

II.—ASSAM—*cont.*

A.—UNDER THE LANDLORD AND TENANT PROCEDURE ACT, 1869—*cont.*

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[1] Ben. Reg. 8, 1793, has been declared in force in the Districts of Sylhet and Goalpara (excluding the Eastern Dvars), and Ben. Act 8, 1865, in the District of Sylhet, by notification under the Scheduled Districts Act, 1874.

LANDLORD AND TENANT (INDIAN LAW)—*cont.*

II.—ASSAM—*cont.*

B.—UNDER OTHER ENACTMENTS—*cont.*

Periodical sales of tenures at instance of zamindar, where the right to sell for arrears of rent was reserved by the lease creating the tenure—*cont.* :

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Sales for arrears of rent, or suits relating to arrears of rent :

By whom to be conducted or heard, where lands situate in different Collectorates — Act6,1853,ss.1to3.

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III.—BENGAL.

A.—UNDER THE BENGAL TENANCY ACT, 1885.

1. Preliminary.

Act 8, 1885, extends to the whole of Bengal except Calcutta, Orissa and theScheduled Districts — Act8,1885,section1(*3*).

Power to extend Act 8, 1885, to Orissa; certain enactments repealed there on such extension — „ ss.1(*3*),2(*2*).

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2. Status of Tenants and General Rights, Powers and Obligations of Landlords and Tenants.

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LANDLORD AND TENANT (INDIAN LAW)—*cont.*

III.—BENGAL—*cont.*

A.—UNDER THE BENGAL TENANCY ACT, 1885—*cont.*

2. Status of Tenants, and General Rights, Powers and Obligations of Landlords and Tenants—*cont.*

(2) Raiyat holding at rate fixed in perpetuity :
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- Application of ss. 11 to 16 to transfer of, and succession to, holding of — „ s.18(*a*).
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(3) Occupancy-raiyat :
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  - Landlord to give receipt and retain counterfoil — „ s.56, Sch. II.
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LANDLORD AND TENANT (INDIAN LAW)—*cont.*

III.—BENGAL—*cont.*

A.—UNDER THE BENGAL TENANCY ACT, 1885—*cont.*

3. **Rent**—*cont.*

Receipts and accounts—*cont.* :
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Produce-rents :
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LANDLORD AND TENANT (INDIAN LAW)—*cont.*

III.—BENGAL—*cont.*

A.—UNDER THE BENGAL TENANCY ACT, 1885—*cont.*

3. Rent—*cont.*

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Payments into Court to prevent sale: amount paid when deemed a mortgage-debt; deduction of amount from rent „ ss.171,172.
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4. Records, and Settlement of Rents.

Record-of-rights and Settlement of Rents :
Power to order survey and preparation of record-of-rights; particulars to be recorded; power to record such particulars on application of proprietor or tenure-holder; validation of past orders - - - - - - - - - „ s.101 (am. Ben. Act 5, 1894, s.1), ss.102,103. Ben. Act 5, 1894, s.3.
Procedure as to recording or settling rents - - - Act 8, 1885, section 104.
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Procedure in case of dispute as to entries in, or omissions from, record - - - - - - - - - „ s.106.
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LANDLORD AND TENANT (INDIAN LAW)—*cont.*

III.—BENGAL—*cont.*

A.—UNDER THE BENGAL TENANCY ACT, 1885—*cont.*

4. Records, and Settlement of Rents—*cont.*

Record-of-rights and Settlement of Rents—*cont.* :

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Alternative procedure for recovering expenses; recovery from successors in interest; power to make rules as to distribution of expenses	Ben. Act 3, 1895,	ss. 28 to 32, 36(*c*).
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5. Miscellaneous Provisions.

Presumption as to conditions under which tenant holds	„	s. 51.
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Measurements :

Landlord's right to measure land	„	s. 90.
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Managers :

Compulsory appointment of common manager by or for co-owners	„	ss. 93 to 95.

LANDLORD AND TENANT (INDIAN LAW)—*cont.*

III.—BENGAL—*cont.*

A.—UNDER THE BENGAL TENANCY ACT, 1885—*cont.*

5. Miscellaneous Provisions—*cont.*

Managers—*cont.*:		
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Restriction on acquisition of right of occupancy in utbandi, chur or dearah lands; pending such acquisition, rent to be according to agreement, power of Collector to declare that land has ceased to be chur or dearah	,,	s.180.
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6. Jurisdiction and Procedure.

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Penalties for illegal interference with produce	,,	s.186.
Power for landlord to act through agent	,,	s.187.

LANDLORD AND TENANT (INDIAN LAW)—*cont.*

III.—BENGAL—*cont.*

A.—UNDER THE BENGAL TENANCY ACT, 1885—*cont.*

7. Supplemental—*cont.*

Joint landlords to act collectively or by common agent	Act 8, 1885, section 188.
Power of Local Government to make rules as to procedure, powers of officers and service of notices	,, s.189.
Procedure for making, publication and confirmation of rules	,, s.190.
Saving of special enactments	,, s.195.
,, power for Bengal Council to amend Act 8, 1885	,, s.196.

B.—UNDER OTHER ENACTMENTS.

Restrictions on enhancement of rent of istimrardars	Ben. Reg. 8, 1793, ss. 49, 50.
Restrictions on enhancement of rent of dependant taluqdars; penalty for illegal enhancement	,, s.51
Power of proprietor to let lands; engagements to be specific, and in writing; abwabs, etc., to be consolidated; no new abwabs, etc., to be imposed; penalties	,, ss.52 to 55
Adjustment of instalments for payment of rent	,, s.64
Bar to engagements made contrary to Ben. Reg. 8, 1793	,, s.65 (pt. rep. Ben. Reg. 5, 1812, s.3)
Proprietors of land empowered to grant leases, but not beyond the term of their own interest or in excess of their authority	Ben. Reg. 5, 1812, ss. 2, 3 Ben. Reg. 18, 1812, s.2
Prohibition of arbitrary or indefinite cesses	Ben. Reg 5, 1812, s.3
Bar to annulment of leases on attachment or sale	,, s.4
Appointment and removal of managers of joint undivided estates	,, ss.26, 27
Leases not affected by division, transfer, etc., of estate	Ben. Reg. 18, 1812, s.3(2)

(rep. locally, Act 8, 1885).

Ben. Reg. 8, 1793, ss. 51 to 55, 64, 65, Ben. Reg. 5, 1812, ss. 2, 3, 4, 26, 27, and Ben. Reg. 18, 1812, ss. 2, 3— repealed throughout Bengal, except in Calcutta, Orissa and Scheduled Districts	Act 8, 1885, s.2(1).
(so far as inconsistent with Act 8, 1885) to be repealed in Orissa on extension of Act 8, 1885, thereto	,, s.2(2).
General provisions	[1] Act 10, 1859 (pt. rep. Acts 36, 1860; 20, 1865; 7 and 14, 1870; 12, 1891; Ben. Act 6, 1862). [1] Ben. Act 6, 1862 (pt. rep. Act 7, 1876).
Appeals	[1] Ben. Act 4, 1867.
Fixing of rents in settlement-proceeding	[1] Ben. Act 8, 1879.
Act 10 of 1859 and Ben. Acts 6 of 1862, 4 of 1867 and 8 of 1879, repealed throughout Bengal, except in Calcutta, Orissa and Scheduled Districts	Act 8, 1885, s.2(1).

[1] Act 10 of 1859 has been largely superseded in Orissa by the extension thereto of parts of Act 8 of 1885. Act 10 of 1859 and Ben. Acts 6 of 1862, 4 of 1867 and 8 of 1879 are now in force to so small an extent that it is considered unnecessary to index them in detail.

LANDLORD AND TENANT (INDIAN LAW)—*cont.*

III.—BENGAL—*cont.*

B.—UNDER OTHER ENACTMENTS—*cont.*

Parts of Act 10 of 1859 and Ben. Acts 6 of 1862, 4 of 1867 and 8 of 1879, which are inconsistent with Act 8, 1885, repealed in Orissa on extension of latter Act thereto - - - - -	Act8,1885,s.2(2).
Act 10 of 1859, and Ben. Acts 6 of 1862 and 4 of 1867, repealed in the Scheduled District of Chota Nagpur, except the district of Manbhum and the Tributary Mahals - - - - -	Ben.Act1,1879,ss.1,3, Sch.A.
Patni taluq :	
Definition - - - - - - - - -	Ben.Reg.8,1819,s.1.
Declared valid, transferable and answerable for debt - -	„ s.3(1).
Not voidable for arrears ; sale for arrears - - -	„ s.3(3).
Right to underlet - - - - - - -	„ ss.3(2),4.
On transfer of, landlord entitled to receive fee and to demand security from transferee - - - - - - -	„ ss.5to7.
Validation of leases fixing rent in perpetuity or for more than ten years ; saving of liability to cancellation on sale of estate for arrears of revenue - - - - - - -	„ s.2.
Periodical sales of tenures at instance of zamindar, where the right to sell for arrears of rent was reserved by the lease creating the tenure :	
Zamindar's right to apply for sale - - - -	„ s.8(pt.rep. Act16,1874).
Such application may be made to the Collector alone - -	Act33,1850,s.1.
Procedure for conducting sale - - - - - -	Ben.Reg.8,1819,s.9(pt. rep.Act25,1850 ; Act16,1874),s.10.
Deposits made under Ben. Reg. 8, 1819, s. 9 : if forfeited, to be applied to defray expenses of sale, balance being credited to Government - - - - - - -	Act25,1850(pt.rep.Act14, 1870;Act12, 1891).
Avoidance of incumbrances - - - - - -	Ben.Reg.8,1819,secs.11,12.
Staying of sale by payment into Court ; sale not to be stayed unless payment made - - - - - - -	„ ss.13,14.
Delivery to purchaser of certificate of sale and order for possession - - - - - - - -	„ s.15(1).
Procedure in case of opposition to purchaser in obtaining possession - - - - - - - - -	„ s.15(2)(pt.rep.Act 16,1874),s.15(3).
Disposal of proceeds of sale - - - - - -	„ s.17.
Ben. Reg. 8, 1819, applied to other sales for arrears of rent at instance of zamindar ; notice to be given of sale - - -	Ben.Reg.1,1820.
Sales for arrears of rent, or suits relating to arrears of rent :	
By whom to be conducted or heard, where lands situate in different Collectorates - - - - - -	Act6,1853,ss.1to3.
Powers of independent Deputy Collector in reference to -	„ ss.4to7.
Publication of notices - - - - - - -	„ s.8.
Sale of patni taluqs and other under-tenures for arrears of rent :	
Sale to be conducted by Collector ; powers of Judge withdrawn	Ben.Act8,1865,section3.
Procedure for conducting sale in execution of decree - -	„ ss.4,5.
Sale to be stopped on deposit of payment ; application of Ben. Reg. 8, 1819, s. 13 - - - - - -	„ s.6.

LANDLORD AND TENANT (INDIAN LAW)—*cont.*

III.—BENGAL—*cont.*

B.—UNDER OTHER ENACTMENTS—*cont.*

Sale of patni taluqs and other under-tenures for arrears of rent—*cont.*:
- Sale to be to highest bidder — Ben. Act 8, 1865, section 7.
- Payment of purchase-money; re-sale on default — „ ss.8to10.
- Certificate and possession to be given to purchaser — „ s.11,Sch.
- Disposal of proceeds of sale — „ s.12.
- Appeal and revision — „ ss.13to15.
- Avoidance of incumbrances — „ s.16.
- Purchaser to apply to landholder for registration and to execute kabuliyat — „ s.17.

Position of tenants when estate sold for arrears of revenue under Act 11, 1859. *See* LAND-REVENUE, IV, 4.

Registration of interests of landlord and tenant. *See* REGISTRATION OF LAND, I.

Ghatwali Mahals, Beerbhoom:
- Ghatwals not liable to enhancement of rent so long as they punctually pay same and fulfil other obligations of their tenure — Ben. Reg. 29, 1814, section 2.
- Rents to be paid to public officer; difference between rent and Government revenue to be made over to zamindar of Beerbhoom — „ ss.3,4.
- Sale, etc., of tenure for arrears — „ s.5.
- Power of ghatwals to grant leases — Act 5, 1859.

Bhuinhari and Majhahas Tenures in Chota Nagpur:
- Definition of "bhuinhari," "majhahas" and "Special Commissioner" — Ben. Act 2, 1869, section 1.
- Appointment, and limits of jurisdiction, of Special Commissioners — „ s.2.
- Special Commissioner to ascertain titles and tenures of lands alleged to be bhuinhari or majhahas, and demarcate same — „ s.3.
- Special Commissioner to have powers of Collector making settlement of land-revenue — „ s.4.
- Special Commissioner to register—
  - lands ascertained to be bhuinhari or majhahas
  - conditions, services and rents to which such lands are ascertained to be subject, and
  - rights and privileges to be enjoyed in respect of such lands — „ s.5.
- Special Commissioner to restore persons wrongfully dispossessed — „ s.6.
- Presumption as to conditions, services and rents — „ s.7.
- Lands not to be registered if occupation newly commenced within twenty years of passing of Act — „ s.8.
- Commutation of conditions or services attached to bhuinhari lands other than payment of rent in money — „ ss.9to13.
- Appeal and revision — „ ss.13to20,23.
- Bar to jurisdiction of Civil Courts — „ s.20.
- Judgments, etc., of Civil Courts in certain cases not to be evidence in enquiry before Special Commissioner — „ s.24.
- Restriction on appearance of mukhtar or vakil before Special Commissioner — „ s.21.
- Power of Local Government to make rules and orders for regulating procedure, etc. — „ s.23.

LANDLORD AND TENANT (INDIAN LAW)—*cont.*

III.—BENGAL—*cont.*

B.—UNDER OTHER ENACTMENTS—*cont.*

Bhuinhari and Majhahas Tenures in Chota Nagpur—*cont.*:
Registers; confirmation and publication of - - - Ben. Act 2, 1869, section 25.
„ to be conclusive evidence - - - - „ s. 26.
Chota Nagpur:
Procedure in suits - - - - - - - Ben. Act 1, 1879.[1].
Santhál Parganas:
Ben. Regs. 18 of 1812, 29 of 1814, 8 of 1819 and 1 of 1820, Acts 25 and 33 of 1850, 6 of 1853, and 5 of 1859, and Ben. Act 8 of 1865 declared in force in Santhál Parganas - - Reg. 3, 1872, s. 3 (am. Reg. 3, 1886).
Restriction on trial of suits by ordinary Courts until settlement made - - - - - - - - „ s. 5.
Jurisdiction of officers appointed under Act 37, 1855, pending completion of settlement - - - - - „ ss. 5, 26.
Preparation of record-of-rights by Settlement-officer - - „ ss. 12 to 14.
Power of Settlement-officer to modify rent payable by village-headman - - - - - - - „ s. 17.
Rules to be observed by Settlement-officer in deciding status, rights and claims of raiyats or occupiers, and settling rents - „ ss. 18, 20, 21.
Powers of Settlement-officer as to fixing, etc., instalments for payment of rent - - - - - - „ s. 22.
Definition of "Commissioner" and "Deputy Commissioner" - Reg. 2, 1886, section 2.
Rent of headman or raiyat to be changed only by Settlement-officer or Deputy Commissioner - - - - „ s. 3.
Periods for which rents adjusted in course of settlement are to remain unchanged - - - - - - „ s. 6.
Determination of rents by Deputy Commissioner in Settled Tracts:
Preparation, amendment and publication of table of rates of rent and rent-roll - - - - - „ ss. 7 to 17.
Period for which such table and roll to remain unchanged - „ s. 18.
Rents specified in such roll when to take effect - - „ s. 19.
Determination of rents by Deputy Commissioner in Unsettled Tracts:
Application of ss. 7 to 19 of Reg. with modifications - „ s. 20.
Employment of subordinate officers in preparation of tables of rates and rent-rolls - - - - - „ s. 21.
Recovery of costs of proceedings connected with application under s. 7 or s. 20 of Reg. - - - - - „ s. 22.
Application by Settlement-officer of table of rates to waste land included by him in a village - - - - „ s. 23.
New tenancies; regulation of rents in - - - - „ s. 24.
Raiyat to be ejected only on order of Deputy Commissioner - „ s. 25.
Appeals, and control of Lieutenant-Governor - - - „ ss. 26, 27.
Power of Lieutenant-Governor—
to order amendment of record-of-rights when table of rates and rent-roll are prepared - - - „ s. 29.
to make rules - - - - - - - „ s. 30.

[1] As Ben. Act 1, 1879, is about to be repealed, it is considered unnecessary to index it in detail.

LANDLORD AND TENANT (INDIAN LAW)—*cont.*

III.—BENGAL—*cont.*

B.—UNDER OTHER ENACTMENTS—*cont.*

Santhál Parganas—*cont.*:
Power of Lieutenant-Governor—*cont.*
to exclude land from operation of Reg. 2, 1886, and such portions of Reg. 3, 1872, as relate to adjustment and record of rents - - - - - - - Reg.2,1886,s.31.

IV.—BOMBAY PRESIDENCY.

1. Generally.

Bar to jurisdiction of Civil Courts in certain cases affecting landlord and tenant - - - - - - - - Act10,1876,ss.4,5.
Receipt to be given for rent, and (except in Panch Mahals) to be signed by village accountant; penalty - - - - Bom.Act5,1879,ss.58,59. Act7,1885,s.2.
Rent or services to be paid or rendered by tenant; enhancement; eviction for non-payment or non-rendition - - - - Bom.Act5,1879,section83.
Duration of tenancy - - - - - - - Bom.Act5,1879,section83.
Presumption that occupant is in possession as tenant - - - Bom.Act5,1879,section83.
Annual tenancy: date for termination of; notice of termination - „ s 84,Sch.E.
Superior holder's dues on account of rent or land-revenue:
To be received through hereditary village-officers, except in Panch Mahals - - - - - - - - Bom.Act5,1879,s.85. Act7,1885,s.2.
Recovery of, under ss. 138 to 187, on application to Collector - Bom.Act5,1879,ss.86,87.
Issue of commission conferring on holder of alienated lands certain powers under Act for recovery of rent or land-revenue, for regulating use and relinquishment of lands and for maintenance and repair of boundary-marks - - - - - „ ss.88to94, Schs.D,F.

2. Khoti land.

Power to fix demands of khot on tenant, for period of settlement - Bom.Act1,1865,s.38(rep. locally,Bom.Act1,1880, s.2).
Local extent of Bom. Act 1, 1880 - - - - - Bom.Act1,1880,s.1.
What holders of, to have right of occupancy - - - - „ ss.5,6.
Continuance of privileged occupants' tenures on payment of rent - „ s.7.
Continuance of ordinary tenures; tenants when deemed to be yearly tenants - - - - - - - - „ s.8.
Transfer and heritability of tenures - - - - - „ s.9.
Resignation, lapse or forfeiture of rights of privileged occupant - „ s.10.
Power of khot to confer on tenant the rights of a privileged occupant; record of such grants - - - - - „ ss.11,12.
Commutation of rent payable in kind - - - - „ s.13.
Khot's right to rent where occupancy-tenant neglects to cultivate - „ s.14.
Accounts to be kept, and receipts given, by khot - - - „ s.15.
Managing khot alone entitled to assistance for recovery of rent from privileged occupants under Bom. Act 5, 1879, ss. 86, 87 - „ s.31.
Privileged occupants: - - - - - -
Amount of rent payable by - - - - „ s.33.
Rents of, how and when to be paid - - - - „ s.34.
No cesses, etc., to be levied from - - - - „ s.35.
Inferior holders not liable to Local Fund Cess - - - „ s.36.
Power to make rules - - - - - - - - „ s.40.

LANDLORD AND TENANT (INDIAN LAW)—*cont.*

IV.—BOMBAY PRESIDENCY—*cont.*

3. Bhagdari and Narwadari Tenures.

Bom. Act 5, 1862, not in force in Panch Mahals - - - Act7,1885,s.2.
Prohibition of attachment, etc., or alienation, of—
bhag or share in bhagdari or narwadari village, not being a recognized sub-division, or - - - - - } Bom.Act5,1862,ss.1to3.
homestead, building-site or premises appurtenant to such bhag, share or recognized sub-division - - - - }
Act not to prevent attachment, etc., or alienation of bhag or shares or recognized sub-division conjointly and in gross with its homestead, building-site and other proper appurtenances - - } „ ss.4,5.
Bom. Act 5, 1862, not affected by—
Bombay Revenue Jurisdiction Act, 1876 - - - Act10,1876,s.1.
Bombay Land-revenue Code, 1879, ss. 113, 115, 116 - - Bom.Act5,1879,s.117.

V.—CENTRAL PROVINCES.

1. Preliminary.

Definitions - - - - - - - - - } Act9,1883,ss.3,17,36,41. 50A,51,53(am.Act17, 1889,ss.4,5,11to13).

2. Status of Tenants, and Rights, Powers and Obligations of Landlords and Tenants.

(*a*) *Generally.*

Classes of tenants - - - - - - } Act9,1883,s.4 (am.Act17, 1889,s.6).
Rent: presumption as to amount payable - - - - „ s.5.
„ date from which order fixing, altering or commuting rent takes effect - - - - - - } „ s.6.
„ instalments and times for payment of - - - „ s.7.
„ tenant not bound to pay in shares to different landlords- „ s.8.
„ deposit of money-rent with Revenue-officer for payment to landlord - - - - - - - } „ ss.9,10.
„ penalty on landlord for levy of anything in excess of - „ s.11.
„ „ „ for refusing to give receipt, or giving defective receipt, for - - } „ s.12.
„ enhancement of money-rent when productive power of holding increased by landlord - - - - - } „ s.13.
„ alteration of money-rent when holding increased, diminished or deteriorated - - - - - } „ s.14.
„ „ of rent in case of new assessment of land-revenue- „ s.15.
„ commutation of other rents to fixed money-rents, in case of absolute occupancy-tenant or occupancy-tenant - - } „ s.16.
„ arrears of: landlord's lien on produce; sale of produce; penalty for illegal distraint or removal of produce - } „ ss.17to25.
„ division or appraisement of crop by Commissioner appointed by Revenue-officer - - - - - - } „ ss.25to29.
Improvements; right of landlord and tenant to make, in case of absolute occupancy, occupancy and ordinary tenancies - - } „ s.22.

LANDLORD AND TENANT (INDIAN LAW)—*cont.*

V.—CENTRAL PROVINCES—*cont.*

2. Status of Tenants, and Rights, Powers and Obligations of Landlords and Tenants—*cont.*

(*a*) *Generally*—cont.

Improvements; liability of landlord to pay compensation for, on ejectment of tenant; assessment and mode of payment of compensation	Act 9, 1883,	sections 30, 31.
„ avoidance of entries in record-of-rights and contracts barring tenants' right to make or be compensated for	„	s.32.
Surrender of holding	„	s.33 (am. Act 17, 1889, s.7), s.34.
Tenant's interest as tenant not affected by his taking thika or farm	„	s.35.
Provisions of Act as to rights of absolute occupancy, occupancy or ordinary tenant not applicable to tenant of land in reserved forest.	„	s.35A (ins. Act 17, 1889, s.8).

(*b*) *Absolute Occupancy-tenants.*

Definition	„	s.36.
Rent payable by, to be fixed for period of settlement; restriction on alterations	„	s.37.
„ a first charge on holding	„	s.40.
Right of, heritable and transferable; notice of transfer or alienation to be given to landlord, who may claim to purchase	„	s.38 (am. Act 17, 1889, s.9).
Tenant not liable to ejectment	„	s.39.

(*c*) *Occupancy-tenants.*

Definition	„	s.41.
Cases in which ex-proprietary tenant becomes occupancy-tenant of his sir-land	„	s.42.
Succession to, and transfer of, holding of occupancy-tenant; his right not to be sold in execution of decree	„	s.43 (am. Act 17, 1889, s.10.
Rent to be fixed at settlement	„	s.44.
„ restrictions on alteration of rent in Chanda, Nimar or Sambalpur District during currency of settlement; enhancement of rent in other districts; tenants' improvements how treated in fixing rent	„	s.45 to 47.
„ amount payable for sir-land to be fixed by Revenue officer on application	„	s.42.
Ejectment of: grounds for	„	s.48.
Acquistion of right of occupancy in land taken by occupancy-tenant by exchange	„	ss.49, 50.
„ of occupancy-right by ordinary tenant; rent to be paid	„	s.62.

(*d*) *Village-service tenants.*

Definition	„	s.50A	(ins. Act 17, 1889, s.11).
Succession to, and transfer of, holding of village-service tenant; his right not to be sold in execution of decree	„	s.50B	
Obligation of, to provide substitute	„	s.50C	
Ejectment of: grounds for	„	s.50D	

LANDLORD AND TENANT (INDIAN LAW)—*cont.*

V.—CENTRAL PROVINCES—*cont.*

2. Status of Tenants, and Rights, Powers and Obligations of Landlords and Tenants—*cont.*

(e) Sub-tenants.

Definition	Act 9, 1883,	section 51.
To hold, with certain exceptions, according to agreement	„	s.52.

(f) Ordinary tenants.

Definition	„	s.53.
Rent for land cultivated in partnership with proprietor, to be fixed by Revenue-officer on application	„	s.53(2).
„ to be regulated, with certain exceptions, by agreement	„	s.54(am.Act17, 1889,s.14).
„ determination of, at settlement of land-revenue; bar to enhancement for seven years	„	s.54(ins.Act17, 1889,s.15).
„ notice of enhancement	„	s.56.
„ acceptance of enhancement	„	s.57(1),58(1).
Ejectment of: grounds for; procedure for; no fresh proceedings for seven years	„	ss.55,57to60.
Succession to, and transfer of, holding of ordinary tenant; his right not to be sold in execution of decree	„	s.61(am Act17, 1889,s.16).
Acquisition by, of occupancy-right; rent to be paid as occupancy-tenant	„	s.62.

3. Jurisdiction and Procedure.

Bar to jurisdiction of Civil Courts in certain cases	„	s.63(am.Act17, 1889,s.17),s.65.
Revenue-officers and Settlement-officers to follow procedure under Central Provinces Land-revenue Act, 1881	„	s.64(1).
Appeals	„	s 64(2),71.
Separate register for suits between landlord and tenant	„	s.66.
Additional matters to be stated in plaint	„	s.67.
Legal practitioners' fees not ordinarily allowed as costs	„	s.68.
Arrears; set-off when allowed in suit for	„	s.69.
„ interest on	„	s.70.
„ ejectment for, except in certain cases	„	ss.72,73(2).
„ power of Court to deal with cases of drought or other calamity in suits for	„	s.73.
Ejectment: decree for, not to be executed where tenant remedies injury and pays compensation	„	s.74.
„ rights of tenant in respect of crops and land prepared for sowing	„	ss.75,76.
„ all claims to be determined in proceedings for	„	ss.77,78.
„ decrees or orders when to take effect	„	s.79.
„ limitation of suits to recover possession	„	s.81.

4. Miscellaneous.

Enquiry by Revenue-officer to ascertain extent of holding or take evidence of improvement, etc.	„	s.80.
Power of Chief Commissioner to make rules for guidance of officers	„	s.82.

LANDLORD AND TENANT (INDIAN LAW)—*cont.*

VI.—COORG.

Deduction from rent by tenant of—
value of produce distrained or sold for landlord's arrears of revenue — Reg.1,1889,s.15.
amount paid to release landlord's immoveable property attached for arrears of revenue — „ s.39.

VII.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS).

1. Preliminary.

Mad. Regs. 25 of 1802 and 4 of 1822 and Act 7 of 1839 declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts — Act15,1874,s.4.
Mad. Act 2, 1864, not to apply to City of Madras — Mad.Act2,1864,s.64.
Mad. Act 8, 1865, not to apply to—
City of Madras — Mad.Act8,1865,s.88.
Malabar District or South-East Wynaad — Mad.Act1,1896.
Definitions — Mad.Act8,1865,ss.1,3,14.

2. Rights, Powers and Obligations of Landholders and Tenants.

(*a*) *Engagements.*

Written agreements to be executed; contents thereof — Mad.Reg.25,1802,s.14. Mad.Act8,1865,ss.3,4.
„ „ to be signed and registered — Mad.Act8,1865,section6.
Suits, etc., barred unless agreements exchanged or dispensed with by parties — „ s.7.
Procedure where landholder refuses to grant patta — „ ss.8,71.
„ „ tenant refuses to receive patta and grant muchalka in exchange — „ ss.9,10,72.

(*b*) *Rent.*

Decision of disputes as to rates of rent — „ s.11(am.Mad. Act2,1871, Mad.Act3. 1890,s.7).
Penalty for illegal exactions — „ s.5.
Receipts to be given — Mad.Reg.25,1802,s.14. Mad.Act8,1865,s.81.
Power to require tenant to give security for rent before removing produce — „ s.82.
Clandestine removal of crop — „ s.83.
Deduction from rent where tenants' crops or products sold for arrear of revenue, or where tenant pays such arrear — Mad.Act2,1864,ss.11,35 (am.Mad.Act1,1897,s.1).
See also PERMANENT SETTLEMENT, 2.
Recovery of arrears:
Definition of "arrear" — Mad.Act 8,1865,section14.
Interest on arrears — „ s.37.
Process must be taken within one year from time when rent became due — „ s.2.
Process may be taken only if landholder has an agreement in writing specifying rent payable — „ s.12.
Distraint of moveable property by landholder, under official supervision — „ ss.14to17,19to30.

LANDLORD AND TENANT (INDIAN LAW)—*cont.*

VII.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*cont.*

2. Rights, Powers and Obligations of Landholders and Tenants—*cont.*

(*b*) *Rent*—cont.

Recovery of arrears—*cont.*:

Sale of moveable property by public officials	Mad. Act 8, 1865,	ss. 18, 33 to 36.
Owner of property responsible for expenses when sale countermanded	„	s. 31.
Disposal of claims made by third parties	„	s. 32.
Sale of defaulter's interest in land	„	ss. 38 to 40.
Ejectment of defaulter	„	ss. 41 to 44.
Arrest and imprisonment of defaulter	„	ss. 45 to 48 (am. Act 6, 1888, s. 10).
Landholder may proceed against tenant or his surety or both	„	s. 84.
„ may file suit in Civil Court	„	s. 87.
Recovery by heirs or legal representatives of landholders	„	s. 80.
„ by managers of estates of disqualified proprietors and by public officers holding lands in attachment	„	s. 85.
„ by farmers of public revenue	„	s. 86.
Powers of Tahsildars for sale of property distrained for arrear of rent; their fees to be credited to Government; delegation of such powers	Act 7, 1839,	ss. 2, 3, 5, 6.

(*c*) *Ejectment and Relinquishment.*

Ejectment where tenant refuses to accept patta	Mad. Act 8, 1865,	section 10.
„ for non-payment of rent	„	s. 41.
„ summary suit for re-instatement, with damages, where tenant ejected otherwise than by decree or under s. 10 or s. 41	„	s. 12.
„ procedure for enforcing	„	ss. 41 to 43, 73.
Relinquishment: right of tenant to relinquish land	„	s. 12.

(*d*) *Compensation for Tenants' Improvements* (*Malabar District*).

Definitions	Mad. Act 1, 1887,	sections 2, 3.
Compensation to be paid for improvements before ejectment	„	s. 4.
Court to determine compensation due when ordering ejectment	„	s. 5.
Principles for estimating compensation; tables of rates	„	s. 6.
Avoidance of contracts barring rights under Act	„	s. 7.
Saving of rights under other laws	„	s. 8.

(*e*) *Miscellaneous.*

Right of tenants to institute suits against landholders	Mad. Reg. 4, 1822.

3. Jurisdiction and Procedure.

Persons aggrieved by proceedings taken under Act may file summary suit for damages before Collector	Mad. Act 8, 1865,	section 49.
Suits under Mad. Act 8, 1865:		
Proceedings to be summary	„	s. 65.
Limitation	„	s. 51.
Plaints	„	s. 50.

LANDLORD AND TENANT (INDIAN LAW)—*cont.*

VII.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*cont.*

3. Jurisdiction and Procedure—*cont.*

Suits under Mad. Act 8, 1865—*cont.*:

Summons	Mad. Act 8, 1865,	ss.53,55,62.
Recognised agents	„	s.52.
Appearance of parties, and consequences of non-appearance	„	ss.54,56to58.
Payment or acknowledgment by defendant before hearing	„	s.59.
Witnesses; production of documents; taking of evidence	„	ss.60,61,63.
Record	„	ss.64,67.
Postponements	„	s.66.
Local enquiry	„	s.67.
Judgment	„	s.68.
Appeal to District Judge; limitation	„	ss.69,76.
Execution	„	ss.70to73.
Reference to arbitration	„	s.74.
Register of suits	„	s.77.
Saving of right to prefer suit in ordinary Courts; limitation; bar of suits against Revenue-authority or Police-officer	„	s.78.

4. Miscellaneous.

Delegation of landholder's powers to agent; liability for acts of agent		s.79.
Managers of estates of disqualified proprietors, and public officers holding lands in attachment, to have same powers and be subject to same restrictions as landholders	„	s.85.

See also REGISTRATION OF LAND, III.

VIII.—CITY OF MADRAS.

See LAND-REVENUE, XIV.

IX.—NORTH-WESTERN PROVINCES.

1. Preliminary.

Act not to extend to certain Scheduled Districts or the Family Domains of the Maharaja of Benares, unless notified	Act 12, 1881,	s.1, Sch. II.
Definitions	„	ss.3,5,7,8,44.

2. Status of Tenants, and Rights, Powers and Liabilities of Landholders and Tenants.

Intermediate holders holding from time of Permanent Settlement at unchanged rent: right of, to hold their interest at same rate of rent	Act 12, 1881,	s.4.
Tenant holding from time of Permanent Settlement at unchanged rent, to have right of occupancy and called "tenant at a fixed rent"	„	s.5.
Presumption of holding from time of Permanent Settlement when twenty years' holding at fixed rate is proved	„	s.6.
Ex-proprietary tenant: definition of; such tenants to have occupancy-right in sir-land at favourable rate of rent; division of shares where only one sharer becomes an ex-proprietary tenant	„	s.7.
Occupancy-tenant: definition of; occupancy right how acquired	„	s.8.

LANDLORD AND TENANT (INDIAN LAW)—*cont.*

IX.—NORTH-WESTERN PROVINCES—*cont.*

2. Status of Tenants, and Rights, Powers and Liabilities of Landholders and Tenants—*cont.*

Succession to, and transfer of, right of tenant at a fixed rate, ex-proprietary tenant and occupancy-tenant ; bar to transfer of certain occupancy-rights in execution of decree	Act12,1881,s.9.
Determination of class or tenure of tenant	Act19,1873,s.69. Act12,1881,s.10.
Rent : enhancement of	Act12,1881,sections11to 14,16to19.
„ „ tenant at will not liable to, unless under recorded agreement	„ s.21.
„ abatement of	„ ss.15to19.
„ no enhancement or abatement of rent of ex-proprietary or occupancy-tenant during currency of agreement fixing rent	„ s.22.
„ consideration of caste, custom and practice in determining rate of	„ s.20.
„ remission or suspension of, when revenue remitted or suspended	„ s.23.
„ interest on arrears	„ s.34.
„ payable in kind : division, estimate or appraisement of produce on application to Collector or Assistant Collector	„ s.43.
„ deposit of, in Revenue Court	„ ss.50to55A, Sch.I,FormsA,B.
„ produce of land hypothecated for	„ s.56.
„ distress and sale for recovery of arrears	„ ss.56to90,Sch.I, FormC.
„ power to make rules on matters relating to	„ s.212.
„ when deemed to be in arrear	„ ss.211(*c*),212.
„ fixing, etc., of, during settlement. *See* LAND-REVENUE, XV, 3, 4 (*a*).	
Survey of land	„ s.22A.
Lease : tenant's right to ; rate of rent to be entered in ; landholder's right to reciprocal engagement	„ ss.24to28.
„ for period exceeding term of landholder's engagement with Government : avoidance of, on expiry of such term	„ s.29.
Resumption of rent-free grants, or assessment of rent on the land	Act19,1873,ss.79to82,84. Act12,1881,s.30.
Relinquishment by tenant	Act12,1881,ss.31to33A.
Ejectment of tenant : grounds for ; procedure	„ ss.34to41.
„ „ rights of tenant as to growing crops	„ s.42.
Compensation for tenant's improvements, to be paid before ejectment ; landlord's consent required to improvements made by certain tenants after commencement of Act ; compensation how determined and paid	„ ss.44to47.
„ for illegal exaction of rent	„ ss.48,49.
„ for withholding receipt for rent ; receipts what to specify	„ s.48.

LANDLORD AND TENANT (INDIAN LAW)—*cont.*

IX.—NORTH-WESTERN PROVINCES—*cont.*

3. Jurisdiction and Procedure.

Assistant Collector; power to invest officers with powers of	Act 12, 1881, section 97.
„ „ suits and applications cognizable by	„ ss.98to100.
Collector: powers exerciseable by; authority to invest Sub-divisional Officer with powers of	„ s.103.
Mode of conferring powers	„
Transfer and withdrawal of cases	„ ss.100A,100B (ins.Act14,1886, s.3),ss.101,102, 211(*e*)[ins.Act 14,1886,s.11].
Bar to jurisdiction of Civil Courts in—	
certain suits	„ s.93.
„ applications	„ s.95.
Limitation of suits	„ s.94(am.Act12, 1891).
„ certain applications	„ s.96(*e*).
„ process for execution of orders made on applications	„ s.95A.
Court-fee how computed in certain cases	„ s.95(am.Act14, 1886,s.2).
Reference to arbitration	„ s.96A.
Procedure in applications; joinder of parties	„ ss.96,210.
Procedure in suits up to judgment:	
Place of suing	„ s.104.
Managers of mahals held under Court of Wards or under direct management deemed "landholders" for purposes of suits	„ s.105.
Co-sharer in undivided property when entitled to sue tenant separately	„ s.106.
Plaint; contents of	„ ss.104,110,111.
„ presentation and verification of	„ s.107.
„ return or amendment of	„ ss.112,112B.
„ copies of, or concise statements	„ s.112D.
Documents; admission and production of	„ ss.108,109,134.
Joinder of parties	„ ss.112Ato112C, 210.
Summons	„ ss.113to118,Sch. I,Form D.
Warrant of arrest	„ ss.118to122,Sch.I, FormsEtoG.
Procedure when defendant cannot be arrested under warrant	„ s.122.
Compensation for unnecessary arrest	„ s.123.
Appearances, and consequences of non-appearance	„ ss.124to128,140.
Examination of parties or their agents; written statement by defendant	„ ss.129to132.
Disposal of case after hearing	„ ss.135to137.
Production, attendance and examination of witnesses	„ ss.133,138,139.
Recognition of agents of parties	„ ss.141to143.
Court may grant time or adjourn hearing	„ s.144.
Local enquiry and report by or by order of Court	„ s.145.

LANDLORD AND TENANT (INDIAN LAW)—*cont.*

IX.—NORTH-WESTERN PROVINCES—*cont.*

3. Jurisdiction and Procedure—*cont.*

Procedure in suits up to judgment—*cont.* :

Payment into Court by defendant; bar of interest after such payment — Act 12, 1881, ss. 146, 147.

Third person who has received rent claimed may be made a party — „ s. 148.

Repair of damage or payment of compensation, in lieu of ejectment or cancellation of lease — „ s. 149.

Judgment; delivery of, etc. — „ ss. 150, 151.

Costs — „ ss. 151A to 151C.

Interest on sum decreed, or on costs — „ s. 151D.

Place of *sitting* of Courts — Act 12, 1881, s. 152. Act 20, 1890, s. 63.

Execution of decrees in suits — Act 12, 1881, ss. 153 to 162, 163 (am. Act 6, 1888, s. 10), 164 to 168, 169 (am. Act 14, 1886, s. 4), 170 to 181, Sch. I, Forms H, I.

Appeal from decree in suit:

When to lie to Collector; limitation; procedure — „ ss. 182 to 187.

Re-hearing by Collector or Assistant Collector of suit not open to appeal — „ s. 188.

When to lie to District Judge or High Court; limitation; procedure — „ s. 189 (am. Act 14, 1886, s. 5), s. 190.

Special appeal to High Court; limitation; procedure — „ s. 191.

Order or application relating to execution of decree:

Appeal when and to whom to lie — „ ss. 192 to 198 (am. and pt. rep. Act 14, 1886, ss. 6 to 9).

Limitation of appeals — „ ss. 200, 201.

Revision by Board of Revenue; limitation — „ s. 199 (am. Act 14, 1886, s. 10), s. 201A.

„ „ Commissioner, Collector or Assistant Collector; limitation — „ s. 201B.

Time to be excluded in computing period of limitation — „ s. 202.

Exclusion of time during which Court closed — „ s. 203.

Process: authentication and service of; punishment for resisting process; issue of summons or warrant to answer charge of resistance — „ ss. 91, 92.

Reference by Revenue Court to District Judge of case involving point of law; appeal to High Court — „ s. 204.

Reference by Civil or Revenue Court to High Court of question as to jurisdiction — „ s. 205.

Procedure in case of objection that suit was instituted in wrong Court — „ ss. 206 to 208.

Power of Revenue Court to refer party to Civil Court — „ s. 208A.

LANDLORD AND TENANT (INDIAN LAW)—*cont.*

IX.—NORTH-WESTERN PROVINCES—*cont.*

3. Jurisdiction and Procedure—*cont.*

Power to award damages where lambardar has unlawfully omitted to collect share of profits for co-sharer - - - - - Act 12, 1881, section 209.

4. Miscellaneous.

Power of Board of Revenue to make rules for fixing dates on which profits shall be divisible by lambardars - - - - - „ s. 94.

General power of Local Government and Board of Revenue to make rules - - - - - - - - - „ s. 211 (am. Act 14, 1886, s. 11).

X.—OUDH.

1. Preliminary.

Definitions - - - - - - - - - - Act 22, 1886, s. 3 (am. Act 20, 1890, s. 44), ss. 12, 26, 37, 71.

Restrictions on exclusion of Act by agreement in the case of tenants other than those having right of occupancy and sub-tenants - „ s. 4

Ss. 4, 36 to 48 of Act not to apply to certain areas - - „ s. 157, Sch. D.

2. Rights, Powers and Liabilities of Landlords, Under-proprietors and Tenants.

Right of occupancy : what tenants have it - - - - - Act 22, 1886, s. 5.

„ „ power of landlord to confer - - - „ s. 6.

„ „ loss of - - - - - - - - „ s. 7.

„ „ proprietor of mahal attached, etc., for arrear of revenue deemed tenant with right of occupancy in respect of land held in his cultivating occupancy; fixing of rent for such land - Act 17, 1876, s. 157.

„ „ in judgment-debtor's sir-land sold, etc., under Code of Civil Procedure - - - Act 18, 1876, ss. 25, 39 (*g*).

Lease : tenant's right to ; rate of rent to be entered in ; landlord's right to counterpart - - - - - - Act 22, 1886, sections 8 to 11.

Revenue or rent when deemed to be in arrear - - - „ s. 12.

„ „ „ deposit of, in Revenue Court, without suit; procedure thereupon; limitation of suits for balance „ ss. 14 to 16, Schs. A, B.

Rent ; receipt to be given for - - - - - „ s. 13.

„ compensation for illegal enforcement of payment - - „ s. 17.

„ grounds for abatement of, by suit - - - - „ ss. 18, 29 (*f*).

„ remission of, by order of Court - - - - „ s. 19.

„ proportionate reduction or remission of, when revenue assessment reduced, remitted or suspended - - - Act 17, 1876, s. 49.

„ payable in kind : division or appraisement of produce, on application to Revenue Court - - - - Act 22, 1886, s. 31 (am. Act 20, 1890, s. 45.

„ enhancement of—

in case of occupancy-tenant - - - - „ ss. 33 to 35.

„ „ other tenants - - - - - „ ss. 36 to 46, 51, 67 to 69, 157, Sch. D.

„ increase of rent where assessment of land-revenue increased on account of land added by alluvion - - - Act 17, 1876, s. 48.

„ interest on arrears - - - - - - Act 22, 1886, ss. 141, 142 (*3*).

LANDLORD AND TENANT (INDIAN LAW)—*cont.*

X.—OUDH—*cont.*

2. Rights, Powers and Liabilities of Landlords, Under-proprietors and Tenants—*cont.*

Rent; amount payable by tenant succeeding to vacant holding; exception as to sir-land and land comprised in thika, mortgage or sub-tenancy — Act22,1886,ss.47to50,67,68,157,Sch.D.

„ amount payable for land occupied without consent of landlord: tenant not to have privileges conferred by Act — „ s.127.

„ proprietor's lien for rent payable by under-proprietor — „ s.154.

„ resumption of rent-free grants — Act17,1876,ss.52to55.

„ determination of, when partition effected — „ s.101.

„ distress and sale for recovery of arrears — Act22,1886,ss.72to107, Sch.C.

Relinquishment or abandonment of holding — „ ss.20,21.

Improvement; definition of — „ s.26.

Improvement by tenant:

Compensation for, before ejectment, landlord's consent or Deputy Commissioner's permission required to improvements after commencement of Act; registration of outlay on improvement; exception as to sir-land and land comprised in thika, mortgage or sub-tenancy — „ ss.22to25,67,68.

Compensation for, when tenant refuses to accept enhancement of rent and vacates holding — „ ss.46,157,Sch.D.

„ „ payable to heir of deceased tenant — „ ss.48,157,Sch.D.

„ „ how estimated and paid — „ ss.27,28.

Improvement by landlord: consent of tenant when required; tenant when entitled to abatement of rent — „ s.29.

„ „ enhancement of rent for — „ s.50.

Landlord's right to enter land for purpose of survey or measurement — „ s.30.

Ejectment of tenants holding on special terms, to be by decree only — „ s.52.

„ other tenants by notice, by application to Deputy Commissioner or by suit — „ ss.53to62,69.

„ time for — „ ss.63,64.

„ determination of compensation for improvements — „ ss.57,58,65.

„ compensation for growing crops — „ s.66.

Rights conferred on tenants by ss. 24, 36 to 39 and 45 to 48—

not to accrue to cultivators of sir-land — „ s.67.

not to be acquired in respect of lands held in thika, mortgage or sub-tenancy — „ s.68.

Lease for eight years or upwards: enhancement and ejectment in case of tenant having — „ s.69.

Change in rent or area of holding to be entered in patta and counterpart thereof — „ s.70.

3. Jurisdiction and Procedure.

Bar to jurisdiction of Civil Courts in certain cases — „ s.108(am.Act20, 1890,s.46).

Grades of Revenue Courts — „ s.109(am.Act20, 1890,s.47).

Place of sitting of Revenue Courts — Act22,1886,s.128. Act20,1890,s.63.

LANDLORD AND TENANT (INDIAN LAW)—*cont.*

X.—OUDH—*cont.*

3. Jurisdiction and Procedure—*cont.*

Powers of officers, and conferment of powers on them	Act 22,1886,	ss.110to114, 115(pt.rep.Act 20,1890,s.48).
Limitation of suits	„	ss.129to134.
Appeals to Revenue Courts; limitation	„	ss.116,118(am. Act20,1890, ss.49,51).
Appeal to District Judge and Judicial Commissioner; limitation; procedure; second appeal	„	s.119(am.Act 20,1890,s.52), ss.119A,119B, 119C(ins.Act20, 1890,s.53).
Appeal from order of Deputy Commissioner acting as such	„	s.120.
Power for Board of Revenue to review its own orders; limitation of applications for review	„	s.120A(ins. Act20,1890, s.55).
Distribution of business by Deputy Commissioner	„	s.121.
Transfer of suits and other proceedings	„	ss.122,123(am. Act20,1890, ss.56,57).
Subordination of Revenue Courts	„	s.124(am.Act 20,1890,s.58).
Reference by Civil or Revenue Court to Judicial Commissioner of question as to jurisdiction	„	s.124A(ins. Act20,1890, s.59).
Procedure in case of objection that suit was instituted in wrong Court	„	ss.124B,124C (ins.Act20, 1890,s.59).
Suits may be brought by or against agents or tahsildars of estates held under direct management	„	s.125.
Application of Code of Civil Procedure to suits and other proceedings under Act	„	s.135.
Notices; service of	„	s.136.
Plaints; additional particulars to be stated in	„	s.137.
Third person claiming rent to be made a party to suit	„	s.138.
Summons in certain cases to be for final disposal of suit	„	s.139.
Restriction on set-off in suit for arrears of rent	„	s.140.
Payment of money into Court by defendant	„	ss.142,143.
Power of Court to make local investigation instead of issuing commission; application of Code of Civil Procedure, s. 393	„	s.144.
Decree; execution of	„	ss.145,146,148, 151,152.
„ for enhancement of rent to state date from which enhancement takes effect	„	s.147.
„ for delivery of patta or counterpart: decree to specify certain particulars; grant of patta or counterpart by Court		ss.149,150.
Right of pre-emption at execution-sale		s.155

LANDLORD AND TENANT (INDIAN LAW)—*cont.*

X.—OUDH—*cont.*

3. Jurisdiction and Procedure—*cont.*

Disposal of appeals pending when Act 20, 1890, Part II, came into force — Act20,1890,s.54.
Revenue agents authorised to appear, etc., in rent suits — Act18,1876,s.26.

4. Miscellaneous.

Sharer to exercise certain powers only through general manager or lambardar or pattidar — Act 22,1886, section126.
Registration: certain incumbrances invalid in case of sale in execution of decree, unless registered — „ s.153.
Registration of certain pattas not required — „ s.156.
Power of Board of Revenue to make rules — „ s.158(am.Act 20,1890, s.60).

XI.—PUNJAB.

A.—ORDINARY TENANCIES.

1. Preliminary.

Act 16, 1887, does not extend *proprio vigore* to Hazara District — Act16,1887,s.1.
„ „ applied to Hazara District with modifications in ss. 5, 10, 11, 22, 24 — (Haz.)Reg.13,1887,s.3.
Definitions — Act16,1887,s.4(pt.rep.Act 12,1891).

2. Right of Occupancy.

What tenants have right — Act16,1887,ss.5,6. (Haz.)Reg.13,1887,s.3(*1*).
Right retained when tenant exchanges land for other land belonging to same landlord — Act16,1887,s.7.
Saving of power to establish right in unspecified cases — „ s.8.
Right not acquirable by mere lapse of time — „ s.9.
Right not to be acquired by joint owner in land held in joint ownership — „ s.10. (Haz.)Reg.13,1887,s.3(2).
Continuance of rights held at commencement of Act — Act16,1887,s.11. (Haz.)Reg.13,1887,s.3(3).
Right declared by s. 5:
Private sale, gift or mortgage of; landlord's right of pre-emption — Act16,1887,ss.53,54.
Sale of, in execution of decree or order of Court; landlord's right of pre-emption — „ s.55.
Right acquired otherwise:
Not to be attached or sold under decree or order of Court, and not to be transferred by private contract without previous consent of landlord — „ s.56.
Rights and liabilities of transferee of — „ s.57.
Power of tenant having right of occupancy to sublet land; *joint* liability of tenant and sub-lessee — „ s.58.
Succession to; limit to term of transfer by widow — „ s.59.
Transfers unlawfully made are voidable at instance of landlord — „ s.60.

LANDLORD AND TENANT (INDIAN LAW)—*cont.*

XI.—PUNJAB—*cont.*

A.—ORDINARY TENANCIES—*cont.*

2. Right of Occupancy—*cont.*

Partition of tenancy in which right of occupancy subsists. [*For details, see* LAND-REVENUE, XVII, 4 (*e*)] - - - Act17,1887,ss.111to135, 158(xvii)(xviii).
Nullity of agreements overriding provisions of Act as to acquisition of Act16,1887,s.110.
Saving of entries in settlement record as to letting or under-letting of land or alienation of or succession to land - - - „ s.112.
As to loss of, *see also below*, 4.

3. Rent.

(*a*) *Generally.*

Rent the first charge on produce of land; respective rights of landlord and tenant as to produce - - - - - „ s.12.
Commutation and bar to enhancement - - - - - „ s.13.
Saving of entries in settlement record as to commutation of rent or taking of rent by division or appraisement of produce - - „ s.112.
Payment to be made for land occupied without consent of landlord - „ s.14.
Tenant not bound to pay his rent in shares to different landlords - „ s.15.
Presumption against tenant removing produce so as to prevent division or appraisement, or dealing with produce contrary to established usage - - - - - - - - s.16.
Division or appraisement of produce by referee; appointment of assessors; procedure of referee; power of referee and assessors to enter land; order by Revenue-officer on receipt of referee's record „ ss.17to19.
Deposit of money-rent with Revenue-officer, for payment to landlord - - - - - - - - - „ ss.31,32.
Recovery of rent from produce attached by Revenue-officer - - „ s.33.
Avoidance of leases or agreements on expiry of term for which land-revenue was assessed - - - - - - - „ s.34(*1*).
Agreements made for term of assessment when to continue until revised assessment takes effect - - - - - „ s.34(*2*).
Power to make rules as to payment of rent - - - - „ s.106.
Partition not to affect joint liability for rent, except with express consent of landlord - - - - - - Act17,1887,s.110(*2*).

(*b*) *Enhancement and Reduction of Rents.*

Bar to enhancement in certain cases - - - - - Act16,1887,s.13.
Enhancement and reduction of produce rent paid by tenant having right of occupancy - - - - - - - „ s.20.
Enhancement of cash-rent of tenant having right of occupancy - Act16,1887,s.22. (Haz.)Reg.13,1887,s.3(*4*).
Reduction of cash-rent of tenant having right of occupancy - - Act16,1887,s.23.
Enhancement or reduction by Revenue Court of rent of tenant having right of occupancy; bar to institution of fresh suit for term of years - - - - - - - - Act16,1887,s.24[am.inHaz. Reg.13,1887, s.3(*5*).]
Enhancement or reduction of rent by Revenue Court—
limit to - - - - - - - - - „ s.25.
when to take effect - - - - - - s.26.

LANDLORD AND TENANT (INDIAN LAW)—*cont.*

XI.—PUNJAB—*cont.*

A.—ORDINARY TENANCIES—*cont.*

3. Rent—*cont.*

(*b*) *Enhancement and Reduction of Rents*—cont.

Enhancement of rent of tenant having right of occupancy in consequence of improvements by landlord; reduction of rent when improvement ceases to exist	Act, 16, 1887,	section 62.
Nullity of agreements overriding provisions of Act as to reduction of rent or enhancement of rent of tenant having right of occupancy	„	s.110.
Saving of entries in settlement record as to enhancement or abatement of rent of tenant having right of occupancy	„	s.112.

(*c*) *Other Alterations of Rents.*

Adjustment of rents expressed in terms of the land-revenue	„	s.27.
Alteration of rent on alteration of area	„	s.28.
Remission of rent, on ground of diminution of area or produce, by Court decreeing arrears	„	s.29.
Remission or suspension of rent by Revenue-officer when land-revenue remitted or suspended; bar to jurisdiction of Civil Courts	„	s.30.
Nullity of agreements overriding provisions of Act as to remission or suspension of rent	„	s.110.

4. Cessation of Tenancy.

Relinquishment, without notice, by tenant for a fixed term	„	s.35.
„ after notice, by other tenants	„	ss.36,52.
„ consent of landlord required to relinquishment of part only of tenancy	„	s.37.
Extinguishment of right of occupancy—		
when tenant fails for more than one year to cultivate and pay rent	„	s.38.
when tenant leaves no successor	„	s.59(4).
Ejectment: liability to, of—		
tenant having right of occupancy	„	s.39.
„ not holding for fixed term	„	s.40.
other tenants	„	s.41.
„ cases in which tenant may be ejected without decree for ejectment; ejectment in such cases to be made by Revenue-officer or Revenue Court; procedure	„	ss.42to44,s.45(am. Act12,1891), ss.46,52.
„ time for	„	ss.47,52.
„ not to be decreed if injury remedied or compensation paid by tenant	„	s.48.
„ rights of ejected tenants in respect of crops and land prepared for sowing	„	ss.49,74.
„ right of tenant to institute suit in case of wrongful dispossession or ejectment	„	s.50.
„ bar of relief by suit under Specific Relief Act, 1877, s. 9	„	s.51.
„ nullity of entries in record-of-rights or agreement inconsistent with provisions of Act as to	„	s.109.

LANDLORD AND TENANT (INDIAN LAW)—*cont.*

XI.—PUNJAB—*cont.*

A.—ORDINARY TENANCIES—*cont.*

5. Improvements and Compensation.

Improvements by landlord on tenancy of tenant having right of occupancy :

Not to be made without previous permission of Collector - Act 16, 1887, section 61.

Enhancement of rent in consequence of ; reduction of rent when improvement ceases to exist - - - - - - " s.62.

Improvements by tenant :

Right of tenant having right of occupancy to make improvements - - - - - - - - - - " s.63.

Other tenants may make improvements with landlord's assent - " s.64.

Improvements made before commencement of Act when deemed to be made under Act - - - - - - " s.65.

No ejectment or enhancement until tenant has received compensation for improvements - - - - - - " s.68.

No compensation for improvements begun in anticipation of ejectment - - - - - - - - - " s.66.

Tender of lease for 21 years to tenant to be a bar to right to compensation - - - - - - - - - " s.67.

Compensation for disturbance of tenant who has cleared and cultivated waste-land - - - - - - - - - " s.69.

Determination of compensation by Revenue Courts and officers ; stay of proceedings till compensation paid - - - - - " ss.70,71.

Ejectment not invalidated by omission to pre-determine compensation, but amount may be determined afterwards - - - - s.74.

Matters to be considered in assessment of compensation for improvements - - - - - - - - - - " s.72.

Form of compensation - - - - - - - - - " s.73.

Nullity of entries in record-of-rights and agreements inconsistent with provisions of Act as to tenant's improvements or compensation - - - - - - - - - - " ss.109,110.

6. Jurisdiction and Procedure.

Revenue-officers having jurisdiction under Punjab Land-revenue Act, 1887, to act under Tenancy Act - - - - - - " s.75.

Applications and proceedings cognizable by Revenue-officers ; bar to jurisdiction of Courts - - - - - - - - " s.76.

Revenue Courts, and suits cognizable by them ; bar to jurisdiction of other Courts - - - - - - - - - " s.77.

S. 424 of Code of Civil Procedure, and s. 38 of Punjab Municipal Act, 1891 (notice of suit against public officer), not to apply to suit cognizable by Revenue Court - - - - - - " s.94.

Administrative control over Revenue-officers and Revenue Courts - " ss.78,79.

Appeal, review and revision - - - - - - - " ss.80to84.

Procedure of Revenue-officer ; appearances before them ; costs - - " ss.85to87.

Procedure of Revenue Courts - - - - - - - " s.88.

Power of Revenue-officer or Revenue Court to summon persons ; service of summons - - - - - - - - - " ss.89,90.

Service or publication of notices, proclamations, etc. - - - - " ss.91,92.

LANDLORD AND TENANT (INDIAN LAW)—*cont.*

XI.—PUNJAB—*cont.*

A.—ORDINARY TENANCIES—*cont.*

6. Jurisdiction and Procedure—*cont.*

Joinder of tenants as parties to proceedings relating to rent	Act 16, 1887,	section 93.
Payment into Court of money admitted to be due to third person	„	s.95.
Execution, against moveable property or any ungathered crops, of decree for rent	„	s.96.
Prohibition of imprisonment in execution of decree for arrears of rent	„	s.97.
Power of Revenue Court to refer party to Civil Court	„	s.98.
Power of Civil or Revenue Court to refer to Chief Court question as to jurisdiction	„	s.99.
Power of Chief Court to validate proceedings had in Civil or Revenue Court under mistake as to jurisdiction	„	s.100.

7. Miscellaneous.

Nullity of certain entries in record-of-rights, and saving of certain other entries	„	ss.109,112.
„ of certain agreements contrary to Act; saving of other agreements in writing	„	ss.110,111.
Discharge of duties of Collector dying or being disabled	„	s.103.
Retention of powers of Revenue-officer on transfer	„	s.104.
Conferment of powers of Revenue-officer or Revenue Court	„	s.105.
Place of sitting of Revenue-officers and Revenue Courts	„	s.101.
Holidays	„	s.102.
Rules: general power of Financial Commissioner to make	„	s.106.
„ sanctioning of; and publication of, in draft	„	ss.106(*3*),107.
Powers of Financial Commissioner exerciseable from time to time	„	s.108.

B.—GOVERNMENT TENANCIES.

Power to apply Act to any tract of land the property of Government	Act 3, 1893,	s.3(pt.rep.Act 14,1896).
„ to issue statement of conditions on which Government is willing to grant land in such tract to tenants	„	s.4.
Maintenance of register of such tenancies; effect of registration	„	ss.5to7.
Restrictions on alienation of rights and interests in such tenancies	„	s.8.
Recovery of Government dues in respect of such tenancies	„	s.9.

LAND RATE, LOWER BURMA. *See* CAPITATION TAX OR LAND RATE IN LIEU THEREOF.

LAND RECORDS MAINTENANCE ACT, 1895. (*See* LANDLORD AND TENANT, III; REGISTRATION OF LAND)	Ben.Act3,1895.
LAND RECORDS AND VILLAGE-SERVICE REGULATION (COORG), 1893. (*See* LAND-REVENUE, XII)	Reg.4,1893.
LAND RECORDS AND VILLAGE-SERVICE REGULATION (COORG), 1894. (*See* LAND-REVENUE, XII)	Reg.2,1894.
LAND REGISTRATION ACT, 1876. (*See* LAND-REVENUE, IV, 4; REGISTRATION OF LAND)	Ben.Act7,1876.
LAND REGISTRATION ACT (MALABAR), 1895. (*See* LAND-REVENUE, XIII; REGISTRATION OF LAND)	Mad.Act3,1896.
LAND-REVENUE ACT (BOMBAY CITY), 1876	Bom.Act2,1876.

LAND-REVENUE ACT (CENTRAL PROVINCES), 1881	- - -	Act 18, 1881.
" " " " 1889	- - -	Act 16, 1889.
" " (N.-W. PROVINCES), 1873	- - -	Act 19, 1873.
" " " " 1879	- - -	Act 8, 1879.
" " (OUDH), 1876 -	- - - -	Act 17, 1876.
" " (PUNJAB), 1887 -	- - - -	Act 17, 1887.
" CODE (BOMBAY), 1879	- - - -	Bom. Act 5, 1879.
" REGULATION (BENGAL), 1793 [1]	- - -	Ben. Reg. 2, 1793.

LAND-REVENUE.

1793. Ben. Reg. 2 (Revenue-officers; Settlement; Collection: Bengal and Assam).
" Ben. Reg. 8, except ss. 49 to 55 and 64 to 66 (Settlement and Assessment: Bengal and Assam).
" Ben. Reg. 19 (Revenue-free grant; Assessment: Bengal).
" Ben. Reg. 37 (Revenue-free grants; Assessment: Bengal).
1794. Ben. Reg. 3, s. 13 (Arrears: Bengal).
1800. Ben. Reg. 8, s. 19 (Registration; Assessment: Bengal).
1801. Ben. Reg. 1, ss. 10, 14 (Sales for arrears; Irregular separation of taluqs: Bengal).
1803. Mad. Reg. 1 (Board of Revenue).
" Mad. Reg. 2 (Collectors, etc.).
1804. Mad. Reg. 5, s. 14 (4) (Recovery of arrears, Madras Presidency).
1805. Ben. Reg. 12 (Settlement, etc., Cuttack).
1812. Ben. Reg. 5, ss. 24, 25 (Arrears: Bengal).
" Ben. Reg. 18, s. 2 (Apportionment: Bengal).
1814. Ben. Reg. 29 (Ghatwali Mahals, Beerbhoom).
1816. Ben. Reg. 5, ss. 5, 6 (Kanungos: Bengal).
" Ben. Reg. 9 (Commissioner in Sunderbuns).
1817. Mad. Reg. 8, s. 9 (Arrears).
1819. Ben. Reg. 2 (Revenue-free grants; Assessment: Bengal).
" Ben. Reg. 5, s. 4 (1) (Kanungos: Bengal).
1821. Ben. Reg. 4 (Revenue-officers; Districts; Arrears: Bengal.)
1822. Ben. Reg. 3 (Board of Revenue; (Settlements: Bengal).
1822. Ben. Reg. 7 (Revenue-officers; Settlement; Collection of Land-revenue: Bengal).
" Ben. Reg. 11, s. 36 (Khas management: Bengal).
1825. Ben. Reg. 9 (Settlement, etc., Bengal).
" Ben. Reg. 13 (Revenue-free grants, Bengal).
" Ben. Reg. 14 (Revenue-free grants, Bengal).
1828. Ben. Reg. 3 (Special Commissioners; Assessment; Revenue-free grants: Bengal).
" Ben. Reg. 4 (Settlement, Bengal).
" Mad. Reg. 7, s. 3 (Assistant Collectors, Madras Presidency).
1829. Ben. Reg. 1 (Commissioners; Board of Revenue; Divisions and Districts: Bengal).
1831. Mad. Reg. 10, s. 2 (1) (Recovery of arrears, Madras Presidency).
1833. Ben. Reg. 9 (Settlement; Accounts; Deputy Collectors: Bengal and North-Western Provinces).
1836. Act 21 (Districts; Bengal and North-Western Provinces).
1837. Act 6 (Settlement, Cuttack).
1838. Act 16 (Suits, Bombay Presidency).
1839. Act 7, ss. 2, 3, 5, 6 (Arrears, Madras Presidency).
1841. Act 12 (Arrears, Bengal).
1847. Act 9, ss. 1, 5, 6, 9 (Allusion, etc., Bengal).
1849. Act 10 (Board of Revenue, Madras).
1850. Act 23 (Land-revenue, Calcutta).
" Act 44 (Board of Revenue, Bengal).
1851. Act 12 (Land-revenue, City of Madras).
1852. Act 11 (Revenue-free lands: Bombay Presidency, except City of Bombay).

[1] This short title was given by Act 5, 1897, s. 4.

LAND-REVENUE—*cont.*

1856. Act 18, s. 3 (Deputy Collector, Calcutta).
1857. Act 7, ss. 1, 3, 6 (Deputy Collectors, Madras Presidency).
1858. Act 31 (Settlement of alluvial land, Bengal).
1859. Act 11, except ss. 38 to 51 (Separate Accounts; Arrears: Bengal).
1860. Act 28, s. 31 (Deputy Directors of Revenue Settlement, Madras Presidency).
1862. Ben. Act 3, s. 3 (Fees, Bengal).
„ Ben. Act 7, s. 2 (Revenue-free grants, Bengal).
„ Mad. Act 4 (Inam Lands, Madras Presidency.
1863. Bom. Act 2 (Revenue-free lands; Bombay Presidency, except City of Bombay).
„ Bom. Act 7 (Revenue-free lands; Bombay Presidency, except City of Bombay).
1864. Ben. Act 4 (Districts, Bengal).
„ Mad. Act 2 (Recovery of revenue).
1865. Bom. Act 1, s. 37 (Leases to Khots).
„ Mad. Act 1 (Limits of districts).
„ Mad. Act 8, ss. 70, 87, 88 (Recovery of rent or revenue).
1866. Act 26 (Sub-settlement, Oudh).
„ Mad. Act 4 (Inam Lands, Madras Presidency).
1867. Mad. Act 6 (Land-revenue, City of Madras).
1868. Ben. Act 3 (Limitation of Appeals, Bengal).
„ Ben. Act 7 (Arrears, Bengal).
1869. Mad. Act 3 (Summoning of witnesses).
„ Mad. Act 8 (Inam Lands, Madras Presidency).
1871. Act 23, s. 7 (Suits for Inam Lands, Madras Presidency).
1872. Reg. 3, ss. 3, 5, 9 to 17, 23 to 26 (Settlement, Santhál Parganas).
1873. Act 19, ss. 3 to 22, 36 to 191, 207 to end (Land-revenue, North-Western Provinces).
1874. Act 15, ss. 4 to 7 (Laws Local Extent).
„ Reg. 7 (Punjab Frontier).
1875. Act 7, s. 2 (Panch Mahals).
1876. Act 2, ss. 1, 3, 23 to 33, 35 to 38, 41 to end (Land and Revenue, Lower Burma).
1876. Act 10 (Suits in Civil Courts, Bombay Presidency).
„ Act 17, ss. 2 to 159, 178 to end (Land-revenue, Oudh).
„ Ben. Act 7, ss. 69 to 74 (Separate accounts; Arrears: Bengal).
„ Ben. Act 8, s. 16 (Partition, Bengal).
„ Bom. Act 5, ss. 3 to 23, 30 to end (Land-revenue, Bombay City).
„ Mad. Act 1, ss. 1 to 4, 7, 8 (Assessment).
1877. Reg. 2, ss. 2, 37 to 40, 57 to 100, 106 to end (Land and Revenue, Ajmere).
1879. Ben. Act 9, ss. 23 to 26 (Recovery of arrears, Bengal and Assam).
„ Bom. Act 5, ss. 3 to 36, 45 to 52, 54 to 56, 58, 59, 61, 62, 75 to 81, 88 to 125, 136 to 218 (Land-revenue; Bombay Presidency, except City of Bombay).
„ Bom. Act 5, ss. 95 to 97, 118 to 123, 125, 188 to 191, 200 (Land-revenue, Coorg).
1880. Bom. Act 1, ss. 1, 3, 4, 16 to 30, 32, 36 to 40 (Khots).
1881. Act 18 (Land-revenue, Central Provinces).
1882. Act 14, ss. 4A, 615 (Civil Procedure).
1883. Act 19, s. 11 (Loans).
1886. Act 2, s. 48 (Income-tax).
„ Reg. 1, ss. 1 to 3, 17 to end (Land and Revenue, Assam).
1887. Act 16, ss. 27, 109, 111, 112 (Agricultural Tenancies, Punjab).
„ Act 17 (Land-revenue, Punjab).
1888. Bom. Act 6 (except s. 34) (Gujarat Taluqdars).
1889. Act 9, ss. 5 (2), 13 (2) (Kanungos and Patwaris, North-Western Provinces and Oudh).
„ Act 16, s. 40 (Land-revenue, Central Provinces).
„ Reg. 1 (Collection of Revenue, Coorg).
„ Reg. 3, ss. 4 to 21, 27 to 30, 37 to end (Land and Revenue, Upper Burma).
1890. Act 1 (Revenue Recovery, British India generally).
„ Act 20, s. 11 (North-Western Provinces and Oudh).

LAND-REVENUE—*cont.*

1893. Mad. Act 5 (Summoning of witnesses).
„ Reg. 4 (Rate for land-records and village-services, Coorg).
1894. Mad. Act 1 (Board of Revenue).
„ Reg. 1, s. 3 (Laws, Angul District).
„ Reg. 9, ss. 10 11, 13, 14 (Laws, Arakan Hill District).
1895. Reg. 3, ss. 3, 6 (Patwaris and Kanungos, Ajmere).
1896. Mad. Act 1 (Malabar and South-East Wynaad).
„ Mad. Act 3, 1896, ss. 13, 15, 17 (Recovery of revenue, Malabar and South-East Wynaad).

I.—GENERALLY - - - - - .....

II.—AJMERE - - - - -
1. Preliminary.
2. Assessment of Land-revenue.
3. Settlement-record.
4. Collection of Land-revenue.
5. Subordinate Officers.
6. Miscellaneous.

III.—ASSAM - - - - -
A.—UNDER THE ASSAM LAND AND REVENUE REGULATION, 1886.
1. Preliminary.
2. Revenue, Settlement and Survey Officers.
3. Settlement.
(*a*) *General.*
(*b*) *Survey and Demarcation of Land.*
(*c*) *Assessment of Land-revenue.*
(*d*) *Record-of-rights.*
(*e*) *Miscellaneous.*
4. Revenue Administration.
(*a*) *Collection of Land-revenue and substituted taxes.*
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(*c*) *Partition and Union of Revenue-paying Estates.*
(*d*) *Miscellaneous.*
5. Miscellaneous.
B.—UNDER OTHER ENACTMENTS.
1. Revenue-authorities.
2. Settlement, and Assessment of Land-revenue.
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IV.—BENGAL (EXCEPT CALCUTTA) -
1. Preliminary.
2. Revenue-authorities.
3. Settlement, and Assessment of Land-revenue.
(*a*) *Settlement generally.*
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(*c*) *Revenue-free grants.*
(i) Non-badshahi Lakhiraj grants.
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(iii) Grants for holding lands under tenures limiting the Government demand.
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V.—CALCUTTA - - - - - .....

VI.—BOMBAY PRESIDENCY - - Suits in Civil Courts

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VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY) - - -
- A.—GENERALLY.
  - 1. Preliminary.
  - 2. Revenue-officers and Survey-officers.
  - 3. Assessment of Land-revenue.
    - (*a*) *Generally.*
    - (*b*) *Revenue-free lands.*
  - 4. Revenue-survey and Settlement.
  - 5. Revenue-administration.
    - (*a*) *Collection of Land-revenue.*
    - (*b*) *Partition.*
    - (*c*) *Boundaries.*
    - (*d*) *Miscellaneous Provisions.*
  - 6. Miscellaneous.
- B.—KHOTS.
- C.—GUJARAT TALUQDARS.
  - 1. Preliminary.
  - 2. Survey and Settlement.
  - 3. Assessment and Collection of Land-revenue.
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VIII.—BOMBAY CITY - - - -
- 1. Preliminary.
- 2. Establishments.
- 3. Assessment and Collection of Land-revenue.
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IX.—LOWER BURMA - - - -
X.—UPPER BURMA - - - -
- 1. Preliminary.
- 2. Assessment of Land-revenue.
- 3. Collection of Land-revenue.
- 4. Miscellaneous.

XI.—CENTRAL PROVINCES -
- 1. Preliminary.
- 2. Revenue-officers.
- 3. Revenue-survey and Settlement.
  - (*a*) *Preliminary.*
  - (*b*) *Demarcation.*
  - (*c*) *Assessment of Land-revenue.*
  - (*d*) *Investigations by Settlement-officer and Preparation of Record-of-Rights.*
  - (*e*) *Miscellaneous.*
- 4. Revenue-administration.
  - (*a*) *Collection of Land-revenue.*
  - (*b*) *Revenue and Village Records.*
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  - (*d*) *Partition of Mahals.*
  - (*e*) *Miscellaneous.*
- 5. Miscellaneous.

XII.—COORG - - - - -
- 1. Preliminary.
- 2. Collection of Land-revenue.
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XIII.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS) - -
- 1. Preliminary.
- 2. Revenue-authorities.
- 3. Settlement, and Assessment of Land-revenue.
  - (*a*) *Settlement.*
  - (*b*) *Assessment of Land-revenue.*
  - (*c*) *Revenue-free Lands.*
- 4. Revenue-administration.
  - (*a*) *Collection of Land-revenue.*
  - (*b*) *Miscellaneous.*

LAND-REVENUE—*cont.*

XIV.—CITY OF MADRAS - - - .....

XV.—NORTH-WESTERN PROVINCES -
XVI.—OUDH - - - -

1. **Preliminary.**
2. **Revenue-authorities.**
3. **Settlement.**
4. **Revenue-administration.**
   (*a*) *Collection of Land-revenue.*
   (*b*) *Records.*
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   (*d*) *Partition and Union of Mahals.*
   (*e*) *Miscellaneous.*
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6. **Special and Local Laws (N.-W. P.).**

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2. **Revenue-officers.**
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   (*a*) *Collection of Land-revenue.*
   (*b*) *Records.*
   (*c*) *Village-officers, etc.*
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   (*f*) *Miscellaneous.*
5. **Miscellaneous.**

I.—GENERALLY.

Power of Local Government to modify Code of Civil Procedure in its application to Revenue Courts - - - - -	Act14,1882,s.4A(ins.Act 7,1888,s.3).
Exemption from land-revenue of improvements made with aid of loan granted by Government - - - - - -	Act19,1883,s.11.
Recovery, beyond district in which it accrued, of—	
land-revenue - - - - - - - -	Act1,1890,s.3,Sch.
sum recoverable as arrear of land-revenue - - - -	„ ss.3,5.
Payment under protest of sum sought to be so recovered; suit for recovery of sum so paid - - - - - -	„ s.4.
Sale of immoveable property under Act - - - -	„ s.6.
Saving of local laws - - - - - - - -	„ s 7(*a*).
Act does not authorise arrest for recovery of municipal tax - -	„ s.7(*b*).
Application of Act to recovery in British India of land-revenue, or sums recoverable as arrears of land-revenue, accruing due out of British India - - - - - - - -	„ s.8.
Act 1, 1890, extends to whole of British India, including Upper Burma and British Baluchistan - - - -	„ s.1.
„ „ declared in force in Angul and the Khondmals - -	Reg.1,1894,s.3.

II.—AJMERE.

1. Preliminary.

Definitions - - - - - - - - -	Reg.2,1877,ss.2,74.

2. Assessment of Land-revenue.

No exemption from or assignment of land-revenue allowed except under sanad; power to grant sanad - - - -	„ ss.37,38.
Decision of question whether right to exemption or assignment has determined - - - - - - - -	„ s.39.

LAND-REVENUE—*cont.*

II.—AJMERE—*cont.*

2. Assessment of Land-revenue—*cont.*

Power, in granting or recognizing exemption from land-revenue, to impose conditions as to alienation or charging of, succession to, or maintenance out of, land — Reg. 2, 1877, section 40.
Offer of settlement to whom to be made — „ ss. 57, 58.
Term of settlement — „ s. 59.
Declaration of amount of assessment — „ s. 60.
Effect of acceptance of assessment; sanction of Governor-General in Council required to bind Government — „ s. 61.
Joint and several liability for revenue of persons accepting assessment
Perfect partition not allowed without previous sanction of Chief Commissioner — „ s. 64.
Exclusion of proprietors refusing to accept offer of assessment; allowance to persons excluded — „ ss. 62, 63.
Continuance of assessment until new settlement is made — „ s. 71.
Power to make rules as to assessment — „ s. 110.
Application of ss. 64 and 71 to settlement concluded in 1874 — „ s. 72.

3. Settlement-record.

Preparation of; entries in, to be made on basis of actual possession and existing usage; authentication of entries in — „ ss. 65, 66.
Appeal to Revenue-officer, or institution of suit in Civil Court, by person aggrieved by entry in — „ s. 67.
Presumption of correctness of entries in — „ s. 68.
Delivery of, to Collector — „ ss. 2, 69, first para.
Maintenance of — „ s. 69, second para., s. 70.
Ss. 68 and 70, and second para. of s. 69, of Reg. 2, 1877, repealed as to certain estates — Reg. 3, 1895, s. 6, Sch.
Continuance of record-of-rights until new record made — Reg. 2, 1877, section 71.
Application of Reg. 2, 1877, ss. 67 to 71, to settlement concluded in 1874 — „ s. 72.

4. Collection of Land-revenue.

Instalments, places and times at and in which payments to be made — „ s. 73.
Arrear of land-revenue:
Definition of "arrear" and "defaulter" — „ s. 74.
Processes for recovery of: arrest and detention of defaulter; attachment and sale of moveables; attachment of estate without cancellation of settlement, leases, etc.; transfer of estate to solvent malguzar or incumbrancer; sequestration of estate, with cancellation of settlement, leases, etc.; attachment of other immoveable property of defaulter — „ ss. 75 to 96.
Recovery of, through headman; abolition of village headman's power of distraint — „ ss. 98 to 100.
Recovery, as arrears of land-revenue, of—
rent payable to Government — „ s. 97(*b*).
fees, costs and other money payable under Reg. 2, 1877 — „ s. 97(*c*).
patwari-rate — Reg. 3, 1895, s. 3(5).

LAND-REVENUE—*cont.*

II.—AJMERE—*cont.*

5. Subordinate Officers.

Power to make rules as to appointment and removal of circle-headmen, village headman and patels, and investigation of charges of misconduct of subordinate Revenue-officers - - - Reg.2,1877,s.110(*c*),(*e*).

See also PATWARIS AND KANUNGOS.

6. Miscellaneous.

Erection and repair of boundary-marks - - - - „ s.106.
Powers with which Revenue-officers may be invested - - „ s.107.
Collector appointed under Reg. 2, 1877, to discharge functions of Collector under other enactments - - - - - „ s.108.
Revision by Chief Commissioner - - - - - „ s.109.
Rules; general power to make - - - - - „ s.110.
„ penalty for breach of - - - - - „ s.111.
„ publication of; periodical consolidation and republication of - - - - - - - - - „ ss.112,113(am. Reg.9,1893).
Appeals, first and second - - - - - - „ ss.114to117.
Certificate to practise as Revenue-agent not to be granted - - „ s.118.
Proceedings under Reg. 2, 1877, not to be impeached; bar to jurisdiction of Civil Courts - - - - - - „ s.119.

III.—ASSAM

A.—UNDER THE ASSAM LAND AND REVENUE REGULATION, 1886.

1. Preliminary.

Local extent of Regulation - - - - - Reg.1,1886,s.1[am.Act5, 1897,s.2(*2*),Sch. I].
Definitions - - - - - - - „ ss.3,17,67,96.
Power to constitute, and alter limits of, sub-divisions - - „ s.125.

2. Revenue, Settlement and Survey-officers.

Revenue-officers:
Chief Commissioner - - - - - - „ s.122.
Commissioners, Deputy Commissioners, Assistant Commissioners and Extra Assistant Commissioners - - - - „ s.123.
Appointment, suspension and removal of other officers - - „ s.124.
Authority to place Assistant Commissioner in charge of sub-division; his powers; authority to confer such powers on other officers - - - - - - - „ ss.125to127.
Subordination of; transfer of cases to and withdrawal of cases from - - - - - - - - „ ss.128to130.
Retention of powers on transfer - - - - - „ s.131.
Temporary Deputy Commissioner to have powers of Deputy Commissioner under Regulation - - - - „ s.132.
Settlement-officers and Survey-officers:
Appointment, subordination, suspension and removal of - - „ ss.133,134.
Powers of - - - - - - - - „ ss.135to137.
Exercise of powers of, by other officers - - - - „ s.138.
Mode of conferring powers; withdrawal of powers - - - „ s.139.

LAND-REVENUE—*cont.*

III.—ASSAM—*cont.*

A.—UNDER THE ASSAM LAND AND REVENUE REGULATION, 1886—*cont.*

3. Settlement.

(*a*) *General.*

"Settlement operations" include survey and demarcation of land, assessment of land-revenue and record-of-rights	Reg. 1, 1886,	section 17.
Notification of settlement	„	s. 18.
Duration of settlement proceedings	„	s. 19.
Power to exclude area or estate from operation of Chapter III (ss. 17 to 47)	„	s. 20.

(*b*) *Survey and Demarcation of Land.*

Assistance in making survey	„	s. 21.
Erection and maintenance of boundary-marks	„	ss. 22 to 27.
Settlement of disputes as to boundary-marks	„	s. 23.
Power to make rules	„	s. 27.

(*c*) *Assessment of Land-revenue.*

What land liable to assessment; savings	„	s. 28.
Power to make rules as to assessment	„	s. 29.
Settlement-officer to frame and submit general proposals	„	s. 30.
Determination of amount of assessment; offer of assessment to whom to be made	„	ss. 31, 32.
Option to accept or refuse assessment; form of acceptance, effect of acceptance or refusal	„	ss. 33 to 36.
Apportionment of assessment	„	s. 37.
Representation of lunatics, minors, etc.	„	s. 38.
Effect of decision of Settlement-officer as to settlement	„	s. 39.

(*d*) *Record-of-rights.*

Record to be framed	„	s. 40.
Entries to be made, and disputes settled, on basis of possession; claimants not in possession to be referred to Court	„	s. 41(1).
Presumption as to correctness of entries in	„	s. 41(2).
Determination of dispute as to class of tenant or rent payable by him	„	s. 42.

(*e*) *Miscellaneous.*

Enquiry by Deputy Commissioner as to land held free of assessment; assessment of such land; suit to set aside order of assessment	„	ss. 43 to 46.
Power to impose hoe-tax or house-tax in lieu of land-revenue	„	s. 47.

4. Revenue-administration.

(*a*) *Collection of Land-revenue and substituted taxes.*

Liability for land-revenue	„	ss. 63, 65(5).
„ „ house-tax imposed in lieu of land-revenue	„	s. 64.
Procedure when co-proprietor of permanently-settled estate desires to pay revenue separately	„	s. 65.

III.—ASSAM—*cont.*

A.—UNDER THE ASSAM LAND AND REVENUE REGULATION, 1886—*cont.*

4. Revenue-administration—*cont.*

(a) Collection of Land-revenue and substituted taxes—cont.

Revenue when due, and where, how and to whom payable		Reg.1,1886,section66.
Arrear of land-revenue:		
Definition of "arrear" and "defaulter"	„	s.67.
Issue of notice of demand	„	s.68.
Processes for recovery	„	ss.69to85(am. Reg.2,1889, ss.3to9),ss.86-to91.
Application of Ch. V. (ss. 68 *et seq.*) to recovery of sums realisable under other enactments as arrears of land-revenue	„	s.94.
Power of Chief Commissioner to make rules for execution of Ch. V	„	s.95.
Recovery, as arrears of land-revenue, of—		
costs of serving notice or process for recovery of revenue	„	s.92.
fines, costs, etc., payable under Reg. 1, 1886	„	s.144.
defalcations of subordinate Revenue-officers	„	ss.145,146.

(b) Records.

Preparation and maintenance of registers	„	ss.48,49.
Registration of proprietors of estates, landholders and managers and mortgagees in possession of estates	„	ss.50to54,57 to59.
Registration of tenures in permanently-settled estates	„	ss.55to57.
Public entitled to inspect and to receive extracts from registers	„	s.60.
Power of Deputy Commissioner to pay recorded proprietors, etc., money due to them in accordance with their registered interests	„	s.61.
Registration not to affect right to bring suit in Civil Court, and not to amount to an admission that land is held revenue-free	„	s.62.

See also above, 3 (*d*).

(c) Partition and Union of Revenue-paying Estates.

Definition of "perfect partition" and "imperfect partition"	„	s.96.
What persons entitled to partition	„	s.97.
Perfect partition:		
Application for	„	s.98.
Ascertainment and disposal of objections to partition; reference to Civil Court	„	ss.99to101.
Making of partition by Deputy Commissioner	„	ss.102,103.
Option to parties to make partition themselves or appoint arbitrators	„	s.103.
General powers of Deputy Commissioners, etc., in making partition	„	s.104.
Principles to be followed in making partition	„	ss.105to113.
Costs	„	s.114.
Power to stay proceedings	„	s.115.
Proclamation of partition	„	s.116.
Appeals	„	s.117.

LAND-REVENUE—*cont.*

III.—ASSAM—*cont.*

A.—UNDER THE LAND AND REVENUE REGULATION, 1886—*cont.*

4. Revenue Administration—*cont.*

(*c*) *Partition and Union of Revenue-paying Estates*—cont.

Perfect partition—*cont.*:

New allotment of revenue on proof of fraud or error in first distribution — Reg.1,1886,section118.

Imperfect partition; procedure for — „ s.119.

Persons entitled to claim union of revenue-paying estate — „ s.120.

Power to make rules as to partition and union and as to assessment of land-revenue on estates divided — „ s.121.

Cases in which Civil Court may not exercise jurisdiction in matters relating to partition — „ s.154(*d*)to(*f*).

Powers of Civil Court in making imperfect partition of revenue-paying estate; apportionment of revenue liability by Deputy Commissioner — „ s.154(3),(4).

(*d*) *Miscellaneous.*

Power to put one party in possession when dispute arises on enquiry as to transfer of estate, etc. — „ s.54.

5. Miscellaneous.

Places in which Revenue, Settlement and Survey-officers may hold Court; power to call for evidence — „ ss.140to142.

Reference to arbitration — „ s.143.

Recovery of fines, costs, etc. — „ s.144.

„ „ defalcations of subordinate Revenue-officers — „ ss.145,146.

Appeal and revision — „ ss.147to151.

Matters excepted from jurisdiction of Civil Courts — „ s.154.

Power to make rules as to procedure of officers — „ s.152.

General power of Chief Commissioner to make rules — „ s.155.

Penalty for breach of rules — „ s.156.

Procedure for making and publishing rules — „ s.157.

Triennial consolidation and publication of rules — „ s.158.

Powers exerciseable from time to time — „ s.159.

Irregularities not to invalidate proceedings — „ s.153.

B.—UNDER OTHER ENACTMENTS. [1]

1. Revenue-authorities.

Collectors to be members of Indian Civil Service — Ben.Reg.2,1793,section3.

„ to collect the revenue — „ ss.3,8.

„ to be subject to Board of Revenue[2] — „ ss.4,7,8.

„ to use seal — „ s.5.

„ to keep diary — „ s.6.

„ to preserve accounts and records — „ s.20.

„ to make settlements of khas or farmed estates — „ s.8(pt.rep.Acts 16,1874,and

„ other duties to be performed by — 12,1876).

[1] Ben. Reg. 2,1793, has been declared in force in the District of Sylhet, and Ben. Reg. 8, 1793, in the Districts of Sylhet and Goalpara (excluding the Eastern Dvars), by notification under the Scheduled Districts Act, 1874.

[2] For power to vest powers of the Board of Revenue in the Chief Commissioner of Assam, see Acts 8 and 12 of 1874.

LAND-REVENUE—*cont.*

III.—ASSAM—*cont.*

B.—UNDER OTHER ENACTMENTS—*cont.*

1. Revenue-authorities—*cont.*

Collectors; native officers to be subordinate to - - - - Ben.Reg.2,1793,s.9(pt.rep. Act16,1874).
„ not to employ their private servants in public matters - „ s.10(pt.rep.Act 16,1874).
„ responsibility of, for money committed to their charge - „ s.11.
„ senior Assistant Collector to officiate for Collector dying, etc. - - - - - - - - - „ s.14.
„ not to exercise authority beyond their districts without orders - - - - - - - - - „ s.24.
Board of Revenue [1]
Powers of Board of Revenue[1] as to requiring personal attendance of native officers and proprietors, etc., of land - - „ s.33.
Board[1] to furnish accounts to, and obey orders of, Governor General in Council - - - - - - - „ s.45.
Native cash-keepers; appointment, removal and responsibility of - „ s.11.
Native officers; appointment, removal and employment of - - „ s.13.
Officers not to be privately interested in collection of revenue, purchase of land, etc. - - - - - - - - „ ss.15,16.
Collectors and assistants not to trade - - - - - - „ s.18.
Duties of, as to receipts for revenue - - - - - - „ s.25.
„ „ „ for salaries, etc. - - - - - „ s.26.

2. Settlement, and Assessment of Land-revenue.

(*a*) *Settlement.*

Permanent Settlement. *See* PERMANENT SETTLEMENT, 1.
Power of Board of Revenue[1] to order settlement of lands held in khas - - - - - - - - - - „ s.36.
Settlement of lands held in khas to be made—
by Collector, or - - - - - - - - - „ ss.8(*4*),39.
by person specially deputed by Board of Revenue[1] - - - „ s.39.
On conclusion of settlement, Board[1] to issue parwana - - „ s.40.
Settlement to be made with actual proprietors of the soil; exception in case of certain females, minors, lunatics and other incapacitated persons and proprietors in arrear; management of lands of excepted persons - - - - - - - - - Ben.Reg.8,1793,ss.4,20 (pt.rep.Ben. Reg.7,1796, s.2),ss.21,22.
Separated taluqdars to pay revenue direct into treasury, or to tahsildar, and not through proprietors; who to be appointed tahsildars - - - - - - - - - „ ss.13to15.
Istimrardars to be considered as patta taluqdars; settlement to be made with them - - - - - - - - „ s.19.
Decision of majority of proprietors as to acceptance or rejection of proposed assessment to bind minority; partition of lands and proportionate allotment of revenue obtainable at expense of dissatisfied sharer - - - - - - - - - - „ s.26.
When lands divided, settlement to be made separately for each share with proprietor in possession - - - - - - - „ s.27.

[1] For power to vest powers of the Board of Revenue in the Chief Commissioner of Assam, see Acts 8 and 12 of 1874.

LAND-REVENUE—*cont.*

III.—ASSAM—*cont.*

B.—UNDER OTHER ENACTMENTS—*cont.*

2. Settlement, and Assessment of Land-revenue—*cont.*

(*a*) *Settlement*—cont.

Settlement with whom to be made in case of dipsute as to proprietary right; procedure where no claimant in possession and no manager appointed	Ben.Reg.8,1793,ss.30,31.	
Settlement with whom to be made in case of dispute as to boundaries	„	s.32.
Powers of Collector where Regulations inapplicable to circumstances of district	„	s.67,cl.(5).

(*b*) *Assessment.*

Allowances of Kazis and Kanungos, and pensions, paid by or through landholders, to be added to jama	„	s.34.
Assessment to exclude—		
certain sair collections	„	s.35.
lakhiraj lands	„	s.36.
Assessment to include—		
proprietor's private lands	„	ss.37to40.
chakaran lands	„	s.41.
Procedure where proprietor declines to engage for settlement at proposed assessment	„	s.43.

3. Collection of Land-revenue.

Land to be security for payment of revenue; surety required where land let in farm	Ben.Reg.2,1793,sec.37.	
Remissions not to be granted without sanction of Governor General in Council	„	ss.38,43.
Powers of Board[1] as to granting temporary suspensions	„	s.42.
Revenue to be collected by Collector, under supervision of Board;[1] Collector's power of coercion	„	ss.8,41.
Protection of estates of wards of Court and minors from sale for arrears	Ben.Act9,1879,ss.23,23A (am.Ben.Act3,1881,s. 4),24to26.[2]	

See also PERMANENT SETTLEMENT, 1.

IV.—BENGAL (EXCEPT CALCUTTA).

1. Preliminary.

Ben. Reg. 5, 1816, extended to Bengal generally	Ben.Reg.1,1819, s.4(*1*).	
Ben. Regs. 2, 8, 19 and 37 of 1793; 3 of 1794, s. 13; 8 of 1800, s. 19; 1 of 1801, ss. 10, 14; 5 of 1812, ss. 24, 25; 2 of 1819; 4 of 1821; 11 of 1822, s. 36; 9, 13 and 14 of 1825; 3 and 4 of 1828; and 1 of 1829; and Acts 21 of 1836; 12 of 1841, s. 2; 9 of 1847; 44 of 1850; 31 of 1858; and 11 of 1859 declared in force throughout Bengal, except as regards the Scheduled Districts	Act15,1874,s.6,Sch.IV (am.Act12,1891).	

[1] For power to vest powers of the Board of Revenue in the Chief Commissioner of Assam, see Acts 8 and 12 of 1874.
[2] These sections have been extended to the districts of Cachar, Darrang, Goalpara, Kamrup, Lakhimpur, Nowgong, Sibsagar and Sylhet by notification under the Scheduled Districts Act, 1874.

IV.—BENGAL (EXCEPT CALCUTTA)—*cont.*

1. Preliminary—*cont.*

Ben. Regs. 8, 19 and 37 of 1793; 8 of 1800, s. 19; 1 of 1801, ss. 10, 14; 5 of 1812, ss. 24, 25; 18 of 1812, s. 3 (*2*); 29 of 1814; 1 and 2 of 1819; and 13 and 14 of 1825; Acts 21 of 1836; 12 of 1841, s. 2; 9 of 1847; 31 of 1858 and 11 of 1859; and Ben. Acts 3 and 7 of 1862; 4 of 1864; 7 of 1868; 2 of 1871; and 7 of 1876 declared in force in the Santhál Parganas	Reg.3,1872,s.3,Sch.(am. Reg.3,1886).
Ben. Reg. 2, 1793, s. 7, and cl. 10 of s. 8, declared in force in Angul and the Khondmals	Reg.1,1894,s.3,Sch.
Ben. Reg. 7, 1822, extended to—	
all lands not included in permanently settled estates	Ben.Reg.9,1825,s.2(pt. rep.Act12,1891).
all estates held khas, and	
the Sundarbans, the hill lands of Bhagulpore, and certain other extensive forests and wastes and estates bordering thereon	
List of Divisions and Districts; power to transfer Districts from one Division to another	Ben.Reg.1,1829,s.2.
Power of Governor General in Council to create Districts	Act21,1836.
„ „ „ to alter limits of Districts	Ben.Reg.4,1821,s.8(*1*). Act21,1836.
Power of Local Government to alter limits of Districts	Ben.Act4,1864.

2. Revenue-authorities.

Collectors to be members of Indian Civil Service	Ben.Reg.2,1793,section3.
„ to collect the revenue	„ ss.3,8.
„ to be subject to Board of Revenue	„ ss.4,7,8.
„ to use seal	„ s.5.
„ to keep diary	„ s.6.
„ to preserve accounts and records	„ s.20.
„ to make settlements of khas or farmed estates	„ s.8(pt.rep.Acts 16,1874,and 12,1876).
„ other duties to be performed by	
„ native officers to be subordinate to	„ s.9(pt.rep.Act 16,1874).
„ not to employ their private servants in public matters	„ s.10(pt.rep Act 16,1874).
„ responsibility of, for money committed to their charge	„ s.11.
„ senior Assistant Collector to officiate for Collector dying, etc.	„ s.14.
„ not to exercise authority beyond their districts without orders	„ s.24.
„ power to alter number of Collectors and authorise Collectors to exercise powers in particular areas	Ben.Reg.4,1821,s.8(*1*).
„ power of Board of Revenue to depute subordinate to perform functions of Collector; report to Governor-General in Council	„ s.8(*2*).
„ power of Collector to delegate his duties to an Assistant; report when to be made to Board	„ s.8(*3*).
„ persons exercising functions of Collector to have same responsibilities as Collector	„ s.8(*5*).
„ "Collector," as used in the Regulations, to include officers duly exercising authority of Collector	Ben.Reg.7,1822,s.35.

LAND-REVENUE—*cont.*

IV.—BENGAL (EXCEPT CALCUTTA)—*cont.*

2. Revenue-authorities—*cont.*

Deputy Collectors:
- Appointment of — Ben. Reg. 9, 1833, ss. 16, 17.
- Natives eligible for office — „ s. 17.
- Remuneration of — „ s. 18.
- Subordination of; duties of; record of proceedings of — „ ss. 20 to 24.
- Suspension and removal of — „ s. 25.

Commissioners: appointment of; power to increase number of — Ben. Reg. 1, 1829, section 2.
- „ to have powers of Board of Revenue and Court of Wards; repeal of inconsistent provisions — „ ss. 4(1), 6.
- „ form of proceedings of; place of residence of — „ s. 4(2).
- „ powers of, where Collectors, etc., have authority in another Division — „ s. 4(3).
- „ powers of Superintendents of Police conferred on — „ s. 7.
- „ powers and subordination of Commissioner of Cuttack — „ s. 8 (pt. rep. Ben. Reg. 1, 1830, s. 2).
- „ appointment, duties and powers of Commissioner in the Sundarbans — Ben. Reg. 9, 1816.

Special Commissioners for final determination of cases investigated under Ben. Reg. 2, 1819, ss. 5 to 20, and Ben. Reg. 9, 1825, s. 5, and for determination of suits brought to contest the demand of Revenue-officers:
- Appointment, jurisdiction and functions of — Ben. Reg. 3, 1828, section 2 (1) to (3).
- Suspension of powers of Courts and Board of Revenue on appointment of — „ s. 2(4) to (7).
- Investiture of, with powers of Board of Revenue — „ s. 3.
- Alteration in procedure of Collector under Ben. Regs. 2, 1819, and 9, 1825, on appointment of — „ s. 4(1) to (4).
- Appeal to, from decision of Collector — „ s. 4(2), (3).
- Revision by, on application of Board of Revenue — „ s. 4(4).
- Appeal to, from decision of Board under Ben. Reg. 2, 1819, s. 21, not to stay proceedings — „ s. 10(2).
- Decisions of, final, subject to appeal to Privy Council — „ s. 4(5), (6).
- Rules and restrictions referred to in Ben. Reg. 3, 1828, s. 4 (5), deemed to be the rules and restrictions applicable to appeals to Privy Council from decisions of High Court, Bengal — Act 14, 1882, s. 615.
- Procedure in case of difference of opinion between — Ben. Reg. 3, 1828, s. 4(6).
- Procedure of — „ s. 6(1).
- Powers of supervision exerciseable over Collectors by — „ s. 6(2).
- Enforcement of processes of, etc. — „ s. 6(3), (4).
- Provisions applicable to native officers employed by — „ s. 6(5).
- Assistance to be rendered to, by Courts and Revenue-officers — „ s. 7.
- Reports to be furnished to Government by — „ s. 8.

Board of Revenue:
- Number of members — Ben. Reg. 3, 1822, s. 4(1).
- Exercise of powers by one member — „ s. 5(1), (3) (am. Act 12, 1891), s. 5(6).

LAND-REVENUE—*cont.*

IV.—BENGAL (EXCEPT CALCUTTA)—*cont.*

2. Revenue-authorities—*cont.*

Board of Revenue—*cont.*:
- Procedure in case of difference of opinion between members — Ben.Reg.3,1822,s.5(2)(7).
- Two members when necessary to appoint, remove or punish officers of Board — „ s.5(4),(5) (am.Act 12,1891).
- Board may review, etc., their decisions — „ s.5(6).
- "Board of Revenue," as used in the Regulations, to include Commissions, etc., vested by Governor General in Council with powers of such Board — Ben.Reg.7,1822,s.35.
- Powers of Board of Revenue as to requiring personal attendance of native officers and proprietors, etc., of land — Ben.Reg.2,1793,s.33.
- Board to furnish accounts to, and obey orders of, Governor General in Council — „ s.45.
- Commissioners to have powers of Sadr Board; repeal of inconsistent provisions — Ben.Reg.1,1829,ss.4(1), (6).
- Form of proceedings of Sadr Board; members where to reside — „ s.4(2).
- Functions of Board of Customs, Salt and Opium transferred to Sadr Board of Revenue — Act44,1850,s.2.
- Sadr Board to be styled "the Board of Revenue for the Lower Provinces of the Presidency of Fort William in Bengal" — „ s.3.

Native cash-keepers; appointment, removal and responsibility of — Ben.Reg.2,1793,s.11.

Native officers; appointment, removal and employment of — „ s.13.

Officers not to be privately interested in collection of revenue, purchase of land, etc. — „ ss.15,16.

Collectors and assistants not to trade — „ s.18.

Duties of, as to receipts for revenue — „ s.25.

„ „ „ for salaries, etc. — „ s.26.

Power, when officer is deputed to hold enquiry in mahal, to invest him with powers in regard to lands held free of assessment in adjoining villages — Ben.Reg.9,1825,s.6.

3. Settlement, and Assessment of Land-revenue.

(*a*) *Settlement generally.*

Permanent Settlement. *See* PERMANENT SETTLEMENT, 1.

Power of Board of Revenue to order settlement of lands held in khas — Ben.Reg.2,1793,s.36.

Settlement of lands held in khas to be made—
- by Collector, or — „ ss.8(4),39.
- by person specially deputed by Board of Revenue — „ s.39.

On conclusion of settlement, Board to issue parwana — „ s.40.

Settlement to be made with actual proprietors of the soil; exception in case of certain females, minors, lunatics and other incapacitated persons and proprietors in arrear; management of lands of excepted persons — Ben.Reg.8,1793,ss.4,20 (pt.rep.Ben. Reg.7,1796, s.2),ss.21,22.

Separated taluqdars to pay revenue direct into treasury, or to tahsildar, and not through proprietors; who to be appointed tahsildars — „ ss.13to15.

LAND-REVENUE—*cont.*

IV.—BENGAL (EXCEPT CALCUTTA)—*cont.*

3. Settlement, and Assessment of Land-revenue—*cont.*

(*a*) *Settlement generally*—cont.

Provisions of Ben. Reg. 8, 1793, as to separable taluqs do not apply to new taluqs constituted since the decennial settlement; transfers of taluqs declared void if separate allotment of assessment was not obtained	Ben.Reg.1,1801,s.14(pt. rep.Act12,1876;Act 12,1891).	
Istimrardars to be considered as patta taluqdars; settlement to be made with them	Ben.Reg.8,1793,s.19.	
Decision of majority of proprietors as to acceptance or rejection of proposed assessment to bind minority; partition of lands and proportionate allotment of revenue obtainable at expense of dissatisfied sharer	„	s.26.
When lands divided, settlement to be made separately for each share with proprietor in possession	„	s.27.
Settlement with whom to be made in case of dispute as to proprietary right; procedure where no claimant in possession and no manager appointed	„	ss.30,31.
Settlement with whom to be made in case of dispute as to boundaries	„	s.32.
Powers of Collector where Regulations inapplicable to circumstances of district	„	s.67,cl.(5).
Settlement not binding on Government unless made or confirmed in accordance with rules sanctioned by Governor General in Council	Ben.Reg.3,1822,s.5(*1*) (am.Act12,1891).	
Settlement to be made of estates let in farm or held khas; new leases not to exceed twelve years; power to exclude turbulent rajas, etc.	Ben.Reg.7,1822,s.3.	
Revenue-officers empowered to adjust the respective rights of sadr malgujars and under-tenants; if result is to materially reduce zamindar's or malgujar's profits, he may relinquish his engagement, and mahal must then be settled *de novo*	„	s.4.
Revised rules as to allowance to be made to zamindars and malgujars excluded from management of their mahals	„	s.5.
	Ben.Reg.9,1833,s.11.	
Power to revise settlement of estates during continuance of leases; revision how to be made; grant of renewed leases; limit to assessment	Ben.Reg.7,1822,ss.6,7.	
Power of Revenue-officer to grant leases of waste land for cultivation and to assign an allowance to zamindars, etc., having rights therein	„	s.8.
Collectors, in making or revising settlements,—		
to ascertain and record full information in regard to landed tenures and the rights, etc., of the various classes of the agricultural community, and	„	s.9(*1*).
to record lakhiraj tenures		
Cesses and collections not taken into account in fixing assessment to be void, unless specially sanctioned by Government		
Power of Collector to grant pattas to owners and occupants of land	„	s.9(*2*).
Power to take five years' engagements for revenue without completing detailed enquiry	„	s.9(*3*).
Settlement with whom to be made where there are several holders	„	s.10.

IV.—BENGAL (EXCEPT CALCUTTA)—*cont.*

3. Settlement, and Assessment of Land-revenue—*cont.*

(*a*) *Settlement generally*—cont.

Power to prescribe distribution of profit resulting from limitation of jama	Ben.Reg.7,1822,s.10(*1*).
Collector, in making registry, to proceed on basis of actual possession	,, s.11.
Power of Collector to re-distribute charges and revenue payable by co-purchasers, and to partition land; his decision may be contested by suit in District Court	,, s.12.
Collectors not to disturb possession; claims of persons not in possession to be decided by suit	,, s.13.
Collector empowered, subject to suit in Civil Court, to—	
declare nature and extent of interests of persons in possession of land	,, s.14(*1*)to(*3*).
restore possession to persons wrongfully dispossessed within a year	,, s.14(*4*),(5).
take cognizance of claims to property in resumed mahal	,, s.15.
,, ,, to lands held revenue-free or at a mukarrari jama	,, s.17.
Collector may be specially empowered to take cognizance of claims to property in any estate under settlement, subject to suit in Civil Court	,, s.16.
Collector to be judge of question of jurisdiction, subject to suit in Civil Court	,, s.18.
Powers of Collector as to enforcing attendance of, and examining, witnesses; application of Ben. Reg. 2, 1819	,, s.19.
Power of Government to restrict Collectors' settlement powers, and to invest Collectors with settlement powers when not making or revising settlements	,, s.20.[1]
Process for requiring attendance of parties before Collectors	,, s.21.[1]
Collector's office deemed to be Civil Court	,, s.23(*1*).[1]
Suits to contest Collector's decisions under Ben. Reg. 7, 1822, ss. 11, 12, 14 to 20, to be deemed appeals from summary awards	,, s.23(*2*).[1]
Collectors authorised to execute their own awards under Ben. Reg. 7, 1822	,, s.23(*3*).[1]
Collectors empowered to depute native officers to make enquiries preparatory to settlement; powers of such officers	,, s.24(*1*).
Process or order of Revenue-officer: punishment for resistance or obstruction to; Police to aid in execution of	,, s.24(*2*),(*3*).[1]
Pleadings in suits	,, s.26.[1]
Place for trial of suits by Collectors	,, s.28.[1]
Appeal to Board from decisions of Collectors in suits	,, s.29.[1]
Limitation of such appeals	Ben.Act 3,1868,section21.
Right to institute suit in Civil Court instead of moving Collector to act summarily	Ben.Reg.7,1822,s.30.[1]
When suit instituted to contest Collector's summary decision, his proceedings to be filed on record	,, s.31[1](pt. rep.Act25, 1837,s.2).

[1] So much of s. 20 and following sections of Ben. Reg. 7, 1822, as relates to rent is repealed by Act 10, 1859.

LAND-REVENUE—*cont.*

IV.—BENGAL (EXCEPT CALCUTTA)—*cont.*

3. Settlement, and Assessment of Land-revenue—*cont.*

(*a*) *Settlement generally*—cont.

Reports by Collectors to Board and by Board to Government, as to causes decided or pending	Ben.Reg.7,1822,s.32.[1]
Arbitration	„ ss.33,34.[1] Ben.Reg.9,1833,ss.5to10.
Power of Collector to interfere in cases of disputed possession	Ben.Reg.7,1822,s.34.[1] Ben.Reg.4,1828,s.2(*4*).
Power to invest officers in Bengal, Behar or Orissa with powers specified in Ben. Reg. 7, 1822, s. 20: application of s. 21 and following sections of that Regulation when officers so empowered	Ben.Reg.9,1825,s.3.
Application of Ben. Reg. 7, 1822, ss. 23 (*1*), 28, to cases investigated under Ben. Reg. 2, 1819, or Ben. Reg. 9, 1825	„ s.5(*9*)(pt. rep.Act20. 1865).
Lands held free of assessment to be specified in proceedings of Collector making settlement under Ben. Reg. 7, 1822	„ s.7.
Duration of settlement-proceedings	Ben.Reg.4,1828,s.2(*4*).
Police-officers to support Revenue-officers in execution of their duties	„ s.2(*4*).
Repeal of provisions in Ben. Reg. 7, 1822, requiring—	
that jama be calculated with reference to produce	Ben.Reg.9,1833,s.2.
that judicial investigations into private claims be conducted simultaneously with ascertainment of Government demand	„ s.3.
Cuttack:	
Confirmation of certain settlements, with amendments	Ben.Reg.12,1805,ss.2to9.
„ of settlements made with certain zamindars to hold at fixed jama in perpetuity	„ s.33.
„ of sanad entitling the jagirdar of Malud to hold his lands exempt from assessment	„ s.34.
„ of settlements made with certain zamindars for payment of fixed annual quit-rent in perpetuity; similar settlement to be made with zamindars of Korda and Kanka	„ s.35.
Liability of malguzars for jama fixed by settlement, until new settlement made	Act6,1837,s.1.
Cuttack, Puri and Balasore:	
Continuance of existing settlement until 1897; estates of dissenting proprietors or shareholders to be taken under management or let in farm; application of Ben. Reg. 7, 1822, ss. 3, 5, to such estates	Ben.Act10,1867.
Santhál Parganas:	
Restriction on trial by ordinary Courts of suits relating to land until settlement made	Reg.3,1872,section5.
Jurisdiction of officers appointed under Act 37, 1855, pending completion of settlement	„ ss.5,26.
Power to order settlement	„ s.9(am.Reg. 2,1886,s.4).

[1] So much of s. 20 and following sections of Ben. Reg. 7, 1822, as relates to rent is repealed by Act 10, 1859

IV.—BENGAL (EXCEPT CALCUTTA)—*cont.*

3. Settlement, and Assessment of Land-revenue—*cont.*

(*a*) *Settlement generally*—cont.

Santhál Parganas—*cont.*:		
Power to appoint Settlement-officers and controlling authorities, and to make rules for guidance of such officers - -	Reg. 3, 1872,	section 10.
Power of Lieutenant-Governor to reserve to himself an ultimate power of revision - - - - - -	Reg. 3, 1872,	section 10.
Bar to jurisdiction of Civil Courts, except in certain cases -		
Decisions and orders of Settlement Courts to have force of decree of Court - - - - - - -	,,	s.11.
Preparation of record-of-rights by Settlement-officer - -	,,	ss.12to14.
Demarcation of villages by Settlement-officer; exclusion from village of waste or forest land - - - -	,,	s.15.
Power of Settlement-officer to review decisions under Act 37, 1855, as to rights of village headmen - - -	,,	s.16.
Rules to be followed by Settlement-officer in deciding claims to office of village-headman: power to modify rent payable by him	,,	s.17.
Record of village-customs and tribal-customs, and trial of objections thereto - - - - - - -	,,	ss.23to25(am. Reg.2,1886, s.28).

(*b*) *Assessment generally.*

Allowances of Kazis and Kanungos, and pensions, paid by or through landholders, to be added to jama - - -	Ben.Reg.8,1793,	s.34.
Assessment to exclude—		
certain sair collections - - - - - - -	,,	s.35.
lakhiraj lands - - - - - - - -	,,	s.36.
Assessment to include—		
ma likana lands in Behar, and proprietor's private lands -	,,	s.37to40.
chakaran lands - - - - - - - -	,,	s.41.
Procedure where proprietor declines to engage for settlement at proposed assessment - - - - - - -	,,	s.43.
Apportionment of assessment on division of joint estate - -	Ben.Reg.18,1812,	s.3(2) (rep.locally, Act 8,1885).
Following lands to be assessed—		
lands not already settled and not legally held free of revenue -	Ben.Reg.2,1819,	section3(1).
lands gained by alluvion or dereliction - - - -	,,	s.3(2).
lands not permanently assessed - - - - - -	,,	s.3(3).
Investigation to determine whether lands held wholly or partially free of revenue are liable to assessment or increased assessment:		
Investigation to be made by Collector; service of notices; penalties on parties, patwaris, etc., refusing to give evidence, etc.; examination of documents and witnesses; report by Collector to Board; final decision to rest with Board -	,,	ss.5,6(am.Act 12,1891),ss.7 to11(1),12to 19(1),20,21.
Landholder to give security for payment of assessment and institute suit to try justice of demand; in default, Collector to proceed to final assessment - - - - -		ss.22,23.

LAND-REVENUE—*cont.*

IV.—BENGAL (EXCEPT CALCUTTA)—*cont.*

3. Settlement, and Assessment of Land-revenue—*cont.*

(*b*) *Assessment generally*—cont.

Investigation to determine whether lands held wholly or partially free of revenue are liable to assessment or increased assessment—*cont.*:

Modification of Ben. Reg. 2, 1819, ss. 5, 6, 8, 10, 11, 13, 15, 22 — Ben.Reg.9,1825,s.5.

Ben. Reg. 2, 1819, s. 22, not to apply where lands illegally held free of revenue — " s.8.

Suits to contest assessment: limitation of; appeal to High Court; procedure — Ben.Reg.2,1819,ss.24(*1*), 26. Ben.Reg.14,1825,s.6. Ben.Reg.3,1828,s.10(*3*)to (*5*).

Application of Ben. Reg. 2, 1819, ss. 11 to 14, 19, extended — Ben.Reg.7,1822,s.19(*2*).

Application of Ben. Reg. 2, 1819, to investigation of cases in which Collector considers that land belongs to Government and that no person has *bonâ fide* possession of the land — Ben.Reg.9,1825,s.5(*12*).

Decision of Board under Ben. Reg. 2, 1819, s. 21, to be carried into effect notwithstanding suit to contest it; person declining to pay assessment to be dispossessed — Ben.Reg.3,1828,s.10(*2*).

Farmans, sanads and grants by Native Rulers to be carefully examined and not received in evidence unless registered — Ben.Reg.2,1819,s.28.

Ben. Reg. 2, 1819, not to affect right of proprietors to waste-land guaranteed at permanent settlement — " s.31(*1*).

Revenue-authorities not to claim additional revenue from lands in estates for which permanent settlement made, unless the lands were expressly excluded from that settlement — " s.31(*2*).

Unregistered tenures to be liable to resumption, unless declared hereditary by decree of competent Court; assessment of revenue — Ben.Reg.3,1828,s.12.

Application of Ben. Reg. 2, 1819, to settlement of claims in respect of land granted by Government in Sundarbans or in respect of demarcation of boundaries in Sundarbans — " s.13.

Alteration of assessment when land lost or gained by diluvion or alluvion; indemnity to Government officers; repeal of prior Regulations — Act9,1847,ss.1,5,6,9.

Addition of revenue assessed upon alluvial land to jama of original estate; separate settlement of alluvial land when to be made; saving of rights of under-tenants; record of such rights — Act31,1858,ss.1,2.

Validation of prior settlements of alluvial land — " s.3.

Assessment how affected by partition. *See* PARTITION, III.

(*c*) *Revenue-free grants.*

(i) Non-badshahi Lakhiraj Grants.

Grants made before 12th August, 1765, and not subsequently rendered subject to payment of revenue:

Declared valid, provided grantee obtained possession — Ben.Reg.19,1793,s.2(*1*).

Reference of doubtful claims to Governor General in Council; Claims barred when made after payment of revenue for twelve years — " s.2(*2*).

LAND-REVENUE—*cont.*

IV.—BENGAL (EXCEPT CALCUTTA)—*cont.*

3. Settlement, and Assessment of Land-revenue—*cont.*

(*c*) *Revenue-free grants*—cont.

(i) Non-badshahi Lakhiraj Grants—*cont.*

Grants made before 12th August, 1765, and not subsequently rendered subject to payment of revenue—*cont.*:

Grants for life or a term not extended, unless duly confirmed by Government as hereditary tenures — Ben.Reg.19,1793,ss.2(3) to(5),47.

Grants made between 12th August, 1765, and 1st December, 1790, and not confirmed by Government:

Declared invalid; exception as to grants made under Government authority and small grants made for religious or charitable uses — s.3(1),(3).

Reference of doubtful claims to Governor General in Council — „ s.3(2).

Grants made before 1st December, 1790:

Declared void if forged, altered or antedated — „ s.17.

Registration of valid grants; grants not duly registered declared invalid, and must be assessed to revenue; registration not conclusive as to title to land or to exemption from revenue; lands so assessed to be entered in Collector's registers — „ ss.24to27. Ben.Reg.8,1800,s.19.

Declaration of invalidity or nullity affects only payment of revenue, grantee retaining proprietary right — Ben.Reg.19,1793,ss.4,17, 27.

Assessment of, to revenue:

Amount of assessment; procedure for making assessment — „ ss.5,8,9.

Revenue to whom to belong, and how recoverable — „ ss.6,7,11.

Grants made after 1st December, 1790, otherwise than by Governor General in Council:

Declared void — „ s.10(pt.rep. Act10,1859, s.28).

Ben. Reg. 19, 1793, s. 10, not affected by other Regulations; assessment of lands illegally held free of revenue — Ben.Reg.9,1825,s.8.

Grants which are hereditary, and are declared valid by Reg. 19, 1793, or confirmed by Government, may be transferred; registration of transferees — Ben.Reg.19,1793,s.20.

Conduct of suits against Government by persons claiming right to hold land free of revenue — „ s.15.

Separations and annexations of exempted lands to be notified to Courts — „ s.35.

Ben. Reg. 19, 1793, not to—

annul grants made or confirmed by superintendents of the bázi-zamin daftar — „ s.48.

extend to badshahi grants — „ s.49.

Modification of Ben. Reg. 19, 1793 — Ben.Reg.14,1825,s.3.

Cuttack:

Ben. Reg. 19, 1793, modified in its application to — Ben.Reg.12,1805,ss.17 to 24(pt.rep.Act10, 1859).

LAND-REVENUE—*cont.*

IV.—BENGAL (EXCEPT CALCUTTA)—*cont.*

3. Settlement, and Assessment of Land-revenue—*cont.*

(*c*) *Revenue-free grants*—cont.

(ii) Badshahi Lakhiraj Grants.

Grants made before 12th August, 1765, and not subsequently resumed by Government:
- Declared valid, provided grantee obtained possession — Ben.Reg.37,1793,s.2(*1*).
- Reference of doubtful claims to Governor General in Council — „ s.2(*2*).
- Claims barred when made after payment of revenue for twelve years — „ s.2(*2*).
- Grants for life not extended — „ s.2(*3*)to(*5*).

Grants made after 12th August, 1765, and not confirmed by Government:
- Declared invalid — „ s.3(*1*).
- Reference of doubtful claims to Governor General in Council — „ s.3(*2*)

Grants forged, altered or antedated, declared void — „ s.12.

Registration of valid grants; grants not duly registered declared liable to resumption and lands liable to payment of revenue; registration not conclusive as to title to land or validity of grant; lands so assessed to be entered in Collector's registers — „ ss.20to23. Ben.Reg.8,1800,s.19.

Declaration of invalidity affects only payment of Government revenue; claims as to proprietary right to be referred to Court — Ben.Reg.37,1793,s.4.

Escheated life-grant: attachment of revenue of; order for resumption to be obtained — „ s.5.

Assessment of, to revenue, on resumption or expiration of grant or on escheat — „ s.6.

Certain grants declared hereditary
Jagirs to be considered as life-tenures only
Grants which are hereditary, and are declared valid by Reg. 37, 1793, or confirmed by Government, may be transferred; registration of transferees — „ s.15.

Conduct of suits against Government by persons claiming right to hold land free of revenue — „ s.10.

Separations and annexations of exempted lands to be notified to Courts — „ s.30.

Power to continue occupant in possession when revenue resumed, on his engaging for future assessment — Ben.Reg.13,1825,s.5.

Ben. Reg. 37, 1793, not to extend to non-badshahi grants — Ben.Reg.37,1793,s.42.

Modification of Ben. Reg. 37, 1793 — Ben.Reg.14,1825,s.3.

Cuttack:
- Ben. Reg. 37, 1793, modified in its application to — Ben.Reg.12,1805,ss.25to29.

(iii) Grants for holding lands under tenures limiting the Government demand.

Provisions in Ben. Regs. 19 and 37, 1793, and 12, 1805, for determining validity of revenue-free grants, declared applicable to — Ben.Reg.2,1819,s.4(pt.rep. Act12,1891).

Person succeeding to possession of, to report to Collector; procedure on failure to report — Ben.Reg.3,1828,s.11(*2*), (*3*).

LAND-REVENUE—*cont.*

IV.—BENGAL (EXCEPT CALCUTTA)—*cont.*

3. Settlement, and Assessment of Land-revenue—*cont.*

(*c*) *Revenue-free grants*—cont.

(iv) Miscellaneous.

Revenue of lands held by kanungos declared to be liable to resumption — Ben.Reg.5,1816,ss.5,6.

Power to continue minhâidars in possession of resumed lands formerly held as lakhiraj by kanungos; continued payment of proprietor's dues; minhâidars' tenures declared heritable and transferable — Ben.Reg.13,1825,ss.2,3.

Ben. Reg. 13, 1825, ss. 2, 3, applied to certain other lakhiraj resumptions — „ ss.4,5.

Lakhiraj tenures under what circumstances alone valid — Ben.Reg.14,1825,s.2.

Principles to be observed in determining validity of grants made before acquisition of territory by British Government — „ ss.3,4.

Person succeeding to possession of revenue-free grant to report to Collector; procedure on failure to report — Ben.Reg.3,1828,s.11(*2*), (*3*).

Suits by proprietors, etc., to resume revenue of land held free of assessment, and suits by persons claiming to hold land exempt from revenue, to be determined by Civil Courts — Ben.Act7,1862,s.2.

See above, (*a*), (*b*) (Investigation to determine, etc.); PERMANENT SETTLEMENT, 1.

4. Collection of Land-revenue.

Land to be security for payment of revenue; surety required where land let in farm — Ben.Reg.2,1793,s.37.

Remissions not to be granted without sanction of Governor General in Council — „ ss.38,43.

Powers of Board as to granting temporary suspensions — „ s.42.

Revenue to be collected by Collector, under supervision of Board; Collector's power of coercion — „ ss.8,41.

Responsibility of zamindars or malguzars for payment of revenue when they hold on after expiration of lease — Ben.Reg.7,1822,s.2(*6*).

Opening of separate account to admit of sharers of estates paying their shares of revenue separately — Act11,1859,ss.10to12.

Fees payable on applications under Act 11, 1859, ss. 10, 11 — Ben.Act3,1862,s.3.

Account not to be opened for a sharer under Act 11, 1859, s. 10 or s. 11, except for a share corresponding with the character and extent of his interest as recorded under Ben. Act 7, 1876 — Ben.Act7,1876, s.69.

Power to open separate account under Act 11, 1859, for undivided interest held by proprietor in specific lands; application of Act 11, 1859, s. 12 — „ ss.70,71.

Closing of accounts opened under Act 11, 1859, or Ben. Act 7, 1876, and opening of fresh accounts; applicants when to be referred to Civil Court — „ ss.72to74.

Act 11, 1859, ss. 10 to 12, not affected by Estates Partition Act, 1876 — Ben.Act8,1876,s.16.

Collection how affected by partition. *See* PARTITION, III.

LAND-REVENUE—*cont.*

IV.—BENGAL (EXCEPT CALCUTTA)—*cont.*

4. Collection of Land-revenue—*cont.*

Arrears of land-revenue:

Recovery of arrears payable to tahsildar, etc. - - - Ben.Reg.3,1794,s.13.

Purchaser of land sold to attend Collector and execute engagement for payment of revenue assessed thereon - - } Ben.Reg.1,1801,s.10.

Sale of entire estate not to be annulled on ground that sharer had not obtained possession of his interest - - - } Ben.Reg.5,1812,s.24.

Board of Revenue to decide whether entire estate or part only should be sold - - - - - - - }

Sale of state or share not to be annulled on ground that proceeds exceeded amount of arrear - - - - } „ s.25.

Board of Revenue to decide whether entire estate or part only should be sold - - - - - - }

Assistant Magistrates, etc., to follow procedure prescribed for Collector, in instituting suit for recovery of - - - } Ben.Reg.4,1821,s.7.

Power to farm mahal (not permanently settled), or hold it in khas management, for recovery of - - - - } Ben.Reg.9,1825,s.4.

No interest or penalty demandable on - - - - Act12,1841,s.2.

Protection of estates of wards of Court and minors from sale for arrears - - - - - - - - } Ben.Act9,1879,ss.23, 23A(am.Ben. Act3,1881, s.4),24to26.

See also PERMANENT SETTLEMENT, 1.

Arrears of land-revenue, and demands recoverable as such arrears:

(1) Recovery of, under Act 11, 1859:

Local extent of Act 11, 1859 - - - - Act11,1859,s.62.

"Arrear of revenue" defined - - - - „ s.2.

"Collector" includes Deputy Collector - - - „ s.61.

Definitions of "estate," "jurisdiction," "proprietor," "revenue," "tenure" - - - - - } Ben.Act7,1868,s.1.

Board to determine dates for payment of arrears and demands; notification of sales - - - - } 11,1859,s.3.

In default of payment of arrear or demand on due date, estate to be sold at public auction to highest bidder, but notification of arrears or demand and of latest day for payment to be first published in certain cases - } „ ss.3,5. Ben.Act7,1868,s.11(am. Ben.Act2, 1871).

Power of Local Government to authorise Collectors to issue notices to proprietors before realizing arrears recovery of costs of serving such notices - - - } „ s.6(pt.rep. Ben.Act7, 1880).

Power to sell tenures in same way as estates; residue of purchase-money to be held for tenure-holder; notice of arrear and latest day for payment when to be issued - } „ s.11(am.Ben. Act2,1871).

Sale to be effected after notification thereof; payment after sunset of latest day for payment not to stop sale - } Act11,1859,s.6(am.Ben. Act7,1868,s.3).

When separate account opened for share of estate, that share to be put up for sale in the first instance, for recovery of arrears due in respect of it - - - } „ ss.13,14. Ben.Act7,1876,s.71.

Act 11, 1859, ss. 13, 14, not affected by Estates Partition Act, 1876 - - - - - - } Ben.Act8,1876,s.16.

LAND-REVENUE—*cont.*

IV.—BENGAL (EXCEPT CALCUTTA)—*cont.*

4. Collection of Land-revenue—*cont.*

Arrears of land-revenue, and demands recoverable as such arrears—*cont.*:

(1) Recovery of, under Act 11, 1859—*cont.*:

Place for holding sale	Act11,1859,section19.
Power to adjourn sale	„ s.20.
Order in which estates are to be sold	„ s.21.
Restrictions on sale of estates held under attachment by Revenue-authorities	„ s.17(pt.rep.Ben. Act3,1881,s.2).
Power of Revenue-authorities to exempt estate or share from sale	„ s.18.
Claims of defaulter against Government, and unappropriated deposits with Collector, not to bar or invalidate sale	„ s.8.
Effect of deposit by person having interest in estate, when made before latest day for payment	„ s.9.
Deposit with Collector for payment of arrears as they accrue, so as to prevent sale; power to withdraw deposit	„ ss.15,16.
Deposit by purchaser; balance of purchase-money when to be paid; punishment for not paying balance; re-sale on default in payment	„ ss.22to24,56,57.
Sale when final	„ s.27(am.Ben.Act 7,1868,s.4).
Certificate of title to be given when sale final	„ s.28,Sch.A. Ben.Act7,1868,s.11(am. Ben.Act2,1871).
„ „ to be conclusive evidence of regularity in service of notices	Ben.Act7,1868,s.8.
Delivery of possession, after sale, how to be effected	Act11,1859,s.29.
Application of purchase-money	„ s.31. Ben.Act7,1868,s.11(am. Ben.Act2,1871).
Purchaser liable for all revenue falling due after latest day on which arrear, for which estate was sold, ought to have been paid	Act11,1859,s.30.
Notice to raiyats and under-tenants not to pay to defaulting proprietor rent falling due after latest day for payment of arrear	„ s.7. Ben.Act7,1868,s.7.
Recovery by defaulter of rent which accrued before such latest day	Act11,1859,section55.
Purchaser of permanently-settled estate sold for its own arrears: rights of, as to avoidance of incumbrances and under-tenures, enhancement of rent and ejectment of tenants	„ s.37.
Purchaser of estate, not permanently settled, sold for its own arrears: rights of, as to avoidance of incumbrances and tenures, and enhancement of rent	„ s.52.
Rights of purchasers of estates in other cases	„ s.53(pt.rep.Act 12,1891),s.54.
Purchaser of tenure sold for its own arrears: rights of, as to avoidance of incumbrances and under-tenures, ejectment of tenants and enhancement of rent	Ben.Act7,1868,ss.12to14.

LAND-REVENUE—*cont.*

IV.—BENGAL (EXCEPT CALCUTTA)—*cont.*

4. Collection of Land-revenue—*cont.*

Arrears of land-revenue, and demands recoverable as such arrears—*cont.*:

(1) Recovery of, under Act 11, 1859—*cont.*:

Appeal to Commissioner against sale; his power to annul sale on such appeal, and award compensation	Ben.Act7,1868,s.2(pt.rep. Ben.Act7, 1880).
Power of Local Government to annul sale; procedure after annulment	Act11,1859,ss.26,32.
Restrictions on annulment of sale by Civil Court; procedure after annulment	„ ss.33to35.
Suit to oust certified purchaser on ground that purchase was made for another, to be dismissed with costs	„ s.36.
Power to purchase estate on account of Government	„ s.58.
Ben. Regs. 7, 1822, and 9, 1825, applied to estates purchased on account of Government	„ s.60.
Estates to be deemed, for purposes of Act 11, 1859, and Ben. Act 7, 1868, to be within the Collectorate of the Collector upon whose general register the revenue thereof is borne	Ben.Act7,1868,s.10.
Punishment for contempt committed in presence of Collector; default in making deposit under s. 22 deemed a contempt	Act11,1859,ss.56,57.
Mode of serving notices	Ben.Act7,1868,s.5.
Validation of past sales of lakhiraj lands	„ s.9.

Registration to secure tenures and farms against auction-purchaser at sale for arrear. *See* REGISTRATION OF LAND.

(2) Recovery of, under Ben. Act 1, 1895. *See* PUBLIC DEMANDS, III.

5. Miscellaneous.

Cuttack:

Preparation of registers of landed property in	Ben.Reg.12,1805,ss.10,11.
Regulations as to settlement and collection of revenue and conduct of officers employed in those duties, declared in force in Cuttack, except as modified by Ben. Reg. 12, 1805	„ s.36(pt.rep. Act11,1893).

Ghatwali Mahals, Beerbhoom:

Ghatwals to retain their lands so long as they pay assessed revenue	Ben.Reg.29,1814,s.2.
To be considered as forming part of the zamindari of Beerbhoom; collection of revenue, and payment thereout of zamindar's dues	„ ss.3to5.
Sale, etc., of tenure for arrears	„ s.5.
Rules for khas management applied to estates purchased by Government on sale for arrears of revenue, and other estates, the property of Government	Ben.Reg.11,1822,s.36.
Village accounts: three copies of, to be prepared, for offices of Collector, patwari and kanungo, respectively; accounts when and how to be furnished; inspection of accounts	Ben.Reg.9,1833,ss.12,13.

V.—CALCUTTA.

Rate for assessment of unassessed lands	Act23,1850,s.1.

LAND-REVENUE—*cont.*

V.—CALCUTTA—*cont.*

Revenue-free tenures, when valid - - - - - Act23,1850,section2.
Enquiry into claims to hold land free of revenue; assessment of such land - - - - - - - - - „ s.8.
Recovery of land-revenue; deduction by occupier from rent; priority of Government claim over other claims - - - - „ s.3(am.Act15 1882, s.3), ss.4to7.
Penalty for obstructing Collector or his subordinates - - „ s.9.
Power of Collector to punish contempts; appeal to Commissioner - „ s.10.
Control over Collector - - - - - - - „ s.11.
Meaning of "Collector" and "Commissioner" - - - „ s.14.
Bar to jurisdiction of High Court - - - - - „ s.12.
Jurisdiction of Courts at sadr station of Twenty-four Parganas; limitation of suits - - - - - - - - „ s.13.
Power of Collector to entrust his duties to Deputy Collector; application to Calcutta of general law relating to Deputy Collectors - - - - - - - - Act18,1856,s.3(pt.rep. Act12,1891).

VI.—BOMBAY PRESIDENCY.

SUITS IN CIVIL COURTS.

Act 16, 1838, declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts - - Act15,1874,s.5.
Suits relating to tenures or right to possession of land to be brought in Civil Courts and not in Revenue Courts - - - Act16,1838,s.1(*1*)(pt.rep. Act10,1876).
Procedure where Collector in whose Court suit is instituted considers he has no jurisdiction to try it, or where superior Court finds that Subordinate Court had no jurisdiction - - - - „ ss.2to5.
Act 10, 1876, extends to whole Presidency of Bombay, but does not affect—
assessment or collection of land-revenue in Bombay City, or certain Acts - - - - - - - - Act10,1876,s.1(am.Act12, 1891).
Definitions - - - - - - - - - „ s.3.
Bar to jurisdiction of Civil Courts in certain cases relating to the land-revenue, partition, boundaries - - - - „ ss.4,5(am.Act16, 1876),Sch.II. (ad.Act16, 1877).
Bar to certain suits against Revenue-officers - - - - „ ss.6,7.
Suits against Government not to be entertained in Civil Courts unless plaintiff has exhausted his right of appeal - - „ s.11.
Reference of question by Government to High Court; reference of question of jurisdiction by Civil Court to High Court - „ ss.12to14.
Right of Government to object to suit against it being transferred to Assistant Judge, and to require that such suit shall have precedence over trial of other suits - - - - - „ s.16.

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY).

A.—GENERALLY.

1. Preliminary.

Definitions - - - - - - - - - Bom.Act5,1879,ss.3,14, 47,147.

LAND-REVENUE—*cont.*

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*cont.*

A.—GENERALLY—*cont.*

1. Preliminary—*cont.*

Division: what comprised in; power to constitute and to alter limits of	Bom. Act 5, 1879,	section 4.
Districts: constitution of; power to prescribe limits of		
Talukas, mahals and villages: power to prescribe number of, in district	„	s.7.

2. Revenue-officers and Survey-officers.

Commissioners: number, appointment, powers and duties of	„	ss.4,5.
„ number, appointment and duties of Assistants to	„	s.6.
Collectors; appointment, subordination, powers and duties of	„	s.8.
Assistant Collectors and Deputy Collectors: number, appointment, subordination, duties and powers of	„	ss.6,9,10.
Temporary Collector to have powers of Collector	„	s.11.
Mamlatdars and Mahalkaris:		
Appointment, powers and duties of	„	ss.12,13.
Subordination of Mahalkaris	„	s.13.
Employment of subordinates to perform duties of	„	s.14.
Stipendiary patels and village-accountants; appointment, etc., of	„	s.16.
Village-accountant; records and writings to be kept and prepared by	„	s.17.
Survey-officers; appointment, designations, subordination, powers and duties of	„	s.18.
Subordination to Collector of all officers employed in land-revenue administration	„	s.9.
Combination of offices	„	s.19.
Certain appointments to be notified	„	s.20.
Duties and powers of temporary officers	„	ss.11,15,20.
Appointments of members of establishments of, by whom to be made; qualifications of	„	ss.21,214(*a*).
Seals to be used by Revenue-officers	„	s.22.
Security to be furnished by certain officers; liability of sureties; withdrawal of sureties	„	ss.23,24,27 to 30,Schs.B,D.
Recovery of Government money, papers or property withheld by	„	ss.25,26,Sch.C.
Officers not to trade, etc.	„	s.31.
Punishment of; appeals from orders of punishment	„	ss.32 to 36,214 (*b*).
Control over	„	s 188.

3. Assessment of Land-revenue.

(*a*) *Generally.*

All land liable to land-revenue; exceptions	„	s.45.
Liability of alluvial lands, etc., to land-revenue	„	s.46.
Decrease of assessment when land lost by diluvion	„	s.47.
Assessment, and variation thereof, according to purposes to which land is appropriated; power to prohibit appropriation of land to particular purposes	„	ss.48,214(*c*).

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*cont.*

A.—GENERALLY—*cont.*

3. Assessment of Land-revenue—*cont.*

(*a*) *Generally*—cont.

Assessment of land occupied without authority	Bom. Act 5, 1879, s. 61 (am. Act 16, 1895).	
Commutation of cess, fine, or tax, or occasional assessment, into annual assessment	„	ss. 49, 50.
Excess assessment of land held with land exempt from revenue may be charged on latter land	„	s. 51.
Fixing of assessment	„	ss. 52, 214 (*d*).
Settlement of assessment with whom to be made	„	s. 54.
Re-assessment in case of relinquishment or transfer of right of occupancy	„	ss. 75 to 78.
Remission of land-revenue when strip of land covered by road-side trees is deducted from holding	„	s. 42.

Certain land to be assessed. *See* LAND, D (*b*).
Exemption of certain land from assessment. *See* LAND, D (*b*).
See also below, 4.

(*b*) *Revenue-free lands.*

Power to appoint Inam Commissioner to determine claims to hold land wholly or partially free from payment of revenue	Act 11, 1852, s. 2.	
Power to appoint Assistants and other establishments for Inam Commissioner		
Duties of Inam Commissioner and his Assistants	„	s. 3, Sch. A.
Rules for determining titles of claimants	„	s. 4, Sch. B.
Powers of Inam Commissioner and his Assistants for taking evidence	„	s. 5, Sch. A.
Appeals		
Punishment of misconduct of officers on Inam Commission; definition of "extortion;" saving of suits	„	s. 6.
In territories subject to Act 11, 1852:		
Definitions	Bom. Act 2, 1863, s. 16.	
Power to appoint officers under Bom. Act 2, 1863, and invest them with authority conferred by Act 11, 1852, on Inam Commissioners and Assistant Inam Commissioners	„	s. 9.
Power to continue exemption of lands from payment of land-revenue in perpetuity, without formal adjudication of title, where landholder consents to conditions; exception of certain lands	„	s. 1.
When exemption of lands so continued, the lands to be heritable and transferable, subject to annual payment to Government of nazrana and quit-rent; rules for ascertaining assessment for purpose of calculating quit-rent	„	ss. 2, 3.
Power to extend the heritability and transferability of land-revenue exemptions which have been formally adjudicated as heritable in perpetuity; annual nazrana to be paid	„	s. 4.
Substitution of occasional for annual nazrana when the annual sum exceeds ten rupees	„	s. 5.

LAND-REVENUE—*cont.*

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*cont.*

A.—GENERALLY—*cont.*

3. Assessment of Land-revenue—*cont.*

(*b*) *Revenue-free lands*—cont.

In territories subject to Act 11, 1852—*cont.* :

Holders of land asserting right to exemption from payment of land-revenue may claim adjudication upon their title according to Act 11, 1852, as modified by Bom. Act 2, 1863; effect of making such claim; security to be furnished, or assessment levied, pending adjudication	Bom. Act 2, 1863, ss. 6, 7.
Service of notice on holder of land asking whether or not he claims an enquiry under s. 6; subsequent procedure	,, s. 11.
Burden of proof on whom to lie in enquiries under s. 6	,, s. 10.
Lands held on behalf of religious or charitable institutions: continuance or adjudication of exemption from payment of land-revenue; bar to transfers	,, s. 8.
Appeals from orders, etc., under ss. 2, 5, 8	,, s. 13.
Recovery of quit-rents, nazranas, etc.	,, s. 15.

In territories not subject to Act 11, 1852 :

Definitions	Bom. Act 7, 1863, section 32.
Power to continue exemption of lands from payment of land-revenue in perpetuity, without proof of title, where landholder consents to conditions; exception of certain lands	,, s. 2 (pt. rep. Act 10, 1876), s. 3.
When exemption of lands so continued, the lands to be heritable and transferable, subject to annual payment of quit-rent to Government; rules for ascertaining assessment for purpose of calculating quit-rent	,, ss. 6, 7.
Service of notice on holder of land asking whether he accepts settlement described in ss. 6, 7, or demands formal enquiry into his title	,, s. 9.
Consequences to ensue when holder proves that his title has already been formally adjudicated	,, s. 8.
Procedure where holder claims formal enquiry	,, ss. 10(*1*), 11 to 18 (am. Act 16, 1895), 19 to 26, Sch
Burden of proof on whom to lie when formal enquiry made	,, s. 14
Assessment to be levied on land for which title to hold free not established	,, s. 10(2), (3).
Resumption of land-revenue in case of certain classes of lands alienated by holders	,, s. 3.
Appeals from orders, etc., under Act	,, s. 19 (am. Act 16 1895), s. 28
Recovery of quit-rents	,, s. 30
Power to enter lands for purpose of making assessment	,, s. 31.
Application of Act 11, 1852, and Bom. Acts 2 and 7, 1863, to agricultural lands in towns and cities	Bom. Act 5, 1879, s. 127.

4. Revenue-survey and Settlement.

Power to order revenue-survey; lands to be surveyed; control of Local Government over survey	,, s. 95.

LAND-REVENUE—*cont.*

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*cont.*

A.—GENERALLY—*cont.*

4. Revenue-survey and Settlement—*cont.*

Power of Survey-officer to require assistance	Bom.Act5,1879,	ss.96,97.
Minimum area of agricultural land to be comprised in survey-number	„	s.98.
Special provisions as to recognised shares of survey-numbers	„	s.99.
Assessment of land-revenue:		
Fixing of assessment	„	ss.100,101 (am.Bom.Act 7,1879,s.2), s.214(*d*).
Sanction of Government required to assessment	„	s.102.
Term of assessment		
Announcement of assessments after sanction obtained	„	s.103.
Assessment when to take effect; remission of increased assessment when occupant relinquishes his land in following year	„	s.104(am.Act 16,1895).
Assessment not to bar levy of lawful cesses or water rate	„	s.105(am.Bom. Act7,1879, s.2).
Bar to enhancement of, during term fixed	„	s.106(am.Bom. Act4,1886, s.1).
Rules to be observed in revision of	„	s.107(am.Bom. Act4,1886, s.2).
Power to direct fresh survey	„	s.106(am.Bom. Act4,1886, s.1).
Survey-officer to prepare settlement register and records	„	s.108.
Correction of errors in settlement register	„	s.109.
Collector to keep settlement-register and certain records and to frame village-records in accordance therewith and to register changes	„	s.110.
Continuance of existing survey-settlements	„	s.112.
Ss. 95 to 112 how far applicable to alienated villages	„	s.216.
Power to make rules for the administration of any survey-settlement	„	s.214(*g*).

5. Revenue-administration.

(*a*) *Collection of Land-revenue.*

Security for land-revenue	„	s.56.
Receipt to be given for land-revenue, and (except in Panch Mahals) to be signed by village-accountant; penalty	„	ss.58,59. Act7,1885,s.2.
Collection of land-revenue in cases of relinquishment or private transfer of occupancy right	Bom.Act5,1879,	ss.75to79.
Responsibility for payment of land-revenue	„	s.136.
Claims of Government to have priority over all other claims	„	s.137.
Land-revenue when, how, where and to whom to be paid	„	ss.139,146.
„ recoverable from the crop, in priority to other claims	„	s.138.

LAND-REVENUE—*cont.*

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*cont.*

A.—GENERALLY—*cont.*

5. Revenue-administration—*cont.*

(*a*) *Collection of Land-revenue*—cont.

Power to prevent removal or reaping of crop until land-revenue paid	Bom. Act 5, 1879,	secs. 140 to 143.
Power to take village or share thereof under management, as security for land-revenue	„	s. 144.
Release of crop, village or share on security being furnished for payment of revenue	„	s. 145.
Arrear of land-revenue:		
Definition of "arrear" and "defaulter"	„	s. 147.
Certified account to be conclusive evidence of arrear	„	s. 149.
Collectors may realise arrears accruing in other districts or in City of Bombay	„	s. 149.
Processes for recovery of	„	ss. 56, 57, 150 to 163, Sch. C.
Processes may be put in force immediately, and fine imposed or interest charged	„	s. 148.
Disposal of forfeited occupancies or alienated holdings under s. 56	„	s. 214(*e*).
Stay of proceedings on security being given	„	s. 164, Sch. D.
„ „ on payment under protest	„	s. 164.
Procedure in respect of sales	„	ss. 165 to 186.
Payment of, by co-occupant, etc., to avoid forfeiture, and recovery of sum so paid from person liable	„	s. 80.
Power of Collector to make co-occupant the registered occupant on payment of arrears, instead of selling occupancy-right	„	s. 81.
Power to recover arrear from co-occupant, co-sharer, inferior holder or actual occupant; right of such person to be credited with payments so made	„	s. 136.
Certain sums recoverable as	„	ss. 26, 34, 43, 55, 62, 113(*3*), 187.
Issue of commission conferring on holder of alienated lands certain powers under Act for recovery of land-revenue, with modifications	„	ss. 88 to 94, Schs. D, F.
Recovery of superior holder's dues on account of land-revenue. *See* LANDLORD AND TENANT, IV, 1.		

(*b*) *Partition.*

Partition of estates paying land-revenue to Government	„	s. 113.
Partition of khoti estate into which revenue-survey introduced, or taluqdari estate	„	s. 114.
Bom. Act 5, 1879, s. 114, repealed as to taluqdari estates in Ahmedabad, Broach, Kaira and Panch Mahals Districts	Bom. Act 6, 1888,	s. 3.
Power to sub-divide survey-numbers when revising survey	Bom. Act 5, 1879,	section 115.
Power to form into a separate survey-number land appropriated for a non-agricultural purpose	„	s. 116.
Bom. Act 5, 1879, ss. 113, 115, 116, not to affect Bom. Act 5, 1862 (Bhagdari and Narwadari Tenures)	„	s. 117.
Ss. 113 to 117 how far applicable to alienated villages	„	s. 216.

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*cont.*

A.—GENERALLY—*cont.*

5. Revenue-administration—*cont.*

(*c*) *Boundaries.*

Rules for fixing boundaries of villages and determining disputes relating thereto	Bom.Act5,1879,	s.118.
Determination of boundaries of fields or holdings	„	s.119.
Settlement of boundary disputes by arbitration; settlement by Survey-officer on failure of arbitrators	„	s.120.
Effect of settlement of boundary	„	s.121.
Boundary-marks:		
Construction and repair of, and assessment of charges; responsibility for maintenance of	„	ss.122to124.
Issue of commission to holder of alienated lands to exercise powers of Survey-officer under s. 122	„	ss.88(*f*),89,Sch.F.
Village-officers and servants to prevent destruction or unauthorised alteration of	„	s.123.
Penalty for injuring, etc.; disposal of fines	„	s.125.
Ss. 118 to 125 how far applicable to alienated villages	„	s.216.

(*d*) *Miscellaneous Provisions.*

Provisions as to temporary management of villages or estates not belonging to Government	„	s.111.

6. Miscellaneous.

Power to call evidence; provisions as to summonses	„	ss.189,190,192.
Service and validation of notices	„	s.191.
Procedure in enquiries made under Act	„	ss.193to197.
Copies and translations of orders, etc., to be furnished	„	s.198.
Arrest to be upon warrant	„	s.199.
Power to enter land for purposes of measurement, etc.; notice of entry	„	s.200.
Power to determine ordinary language of district	„	s.201.
Procedure for evicting person wrongfully in possession of land	„	s.202,Sch.I.
Appeal and revision	„	ss.203to212, 214(*h*).
Maps, survey-records, village-accounts and land-registers to be open to inspection; extracts therefrom to be given to applicants	„	s.213.
Rules: power to make; publication of	„	ss.214,215.
Application of Act to unalienated villages	„	ss.216to218.

B.—KHOTS.

Power to grant leases to khots in Ratnagiri District or parts of Tana District or Sindh [1] for full period of settlement	Bom.Act1,1865,s.37(rep. locally,Bom.Act1, 1880,s.2).	
Local extent of Bom. Act 1, 1880	Bom.Act1,1880,s.1.	

[1] Bom Act 1, 1865, has been declared in force in parts of Sindh by notification under the Scheduled Districts Act, 1874.

LAND-REVENUE—*cont.*

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*cont.*

B.—KHOTS—*cont.*

Definitions	Bom. Act 1, 1880,	s.3, Sch.
Continuance of tenure of villages on fulfilment of conditions	„	s.4.
Survey and Settlement:		
Particulars to be entered in settlement-register and other records	„	ss.16 to 19.
Disputes to be determined by Survey-officer; reference to Civil Court	„	ss.20 to 22.
Administration of survey-settlements made under Bom. Act 1, 1880:		
Ss. 23 to 36 not to apply until survey-settlement made	„	s.23.
Amount of assessment of land-revenue	„	s.24.
Abolition of khots' annual kabuliyats	„	s.25.
Appointment of managing khot, where village held in shares; his duties and status	„	ss.26 to 29.
Where village held by khot in his sole right, he is deemed to be the managing khot	„	s.30.
On separation of shares, Collector to determine assessment payable for each; liabilities of sharers	„	s.32.
Liability of khots for Local Fund cess; recovery thereof under Bom. Act 5, 1879, ss. 86, 87	„	s.36.
Continuance of existing survey-settlements	„	s.37.
New survey-settlement when to be introduced	„	s.38.
Power to make rules	„	s.40.
Certain portions of Bom. Act 5, 1879, not to apply to any village to which the Khoti Settlement Act, 1880, extends; certain portions of Bom. Act 5, 1879, to be subject to modification when applied to any such village	„	s.39.

C.—GUJARAT TALUQDARS.

1. Preliminary.

Local extent of Bom. Act 6, 1888	Bom. Act 6, 1888,	s.1.
Definitions	„	s.2.

2. Survey and Settlement.

Power to order	„	s.4.
Particulars to be entered in settlement-register	„	s.5.
Disputes to be determined by Survey-officer; correction of register in accordance with decision of Court	„	ss.6, 8.
Custody and amendment of records; registered taluqdars entitled to copy of settlement-register	„	ss.7 to 9.

3. Assessment and Collection of Land-revenue.

Amount of assessment	„	ss.22(1), 23.
Power to fix assessment for thirty years	„	s.22(2).
Responsibility for payment	„	s.24(1).
Recovery of arrears	„	s.24(2), (3).
After partition, Collector to determine assessment payable on each separated portion	„	s.25.

LAND-REVENUE—*cont.*

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*cont.*

C.—GUJARAT TALUQDARS—*cont.*

4. Partition.

Who entitled to partition	Bom. Act 6, 1888,	section 10.
Application for partition; ascertainment of objections, and disposal thereof by Court or Taluqdari Settlement-officer; appeal to District Court	„	ss. 11 to 13, 15, 16.
Power to reject application	„	s. 14.
Partition how to be effected	„	s. 17.
Confirmation and notification of; when partition to take effect	„	s. 18.
Delivery of possession of shares	„	s. 19.
Appeal to Commissioner from order confirming partition	„	s. 20.
Bar of suits or applications to Civil Courts for partition	„	s. 21.

See also above, 3.

5. Miscellaneous.

Management of Taluqdars' Estates by Government officers	„	ss. 26 to 29.
Police-officers and establishments; maintenance of	„	s. 30.
Restrictions on alienation of Taluqdar's Estate	„	ss. 31, 32.
Certain portions of Bom. Act 5, 1879, not to apply to any estate to which the Gujarat Taluqdars Act, 1888, extends; certain portions of Bom. Act 5, 1879, to be subject to modification when applied to any such estate	„	ss. 1, 33.

VIII.—BOMBAY CITY.

1. Preliminary.

Definitions	Bom. Act 2, 1876,	s. 3.

2. Establishments.

Control vested in Collector of Bombay, subject to Local Government	„	s. 4.
Appointment, powers and duties of Collector	„	s. 5.
Number, appointment, duties, powers and punishment of Assistants and other subordinates	„	ss. 6, 7.

3. Assessment and Collection of Land-revenue.

Fixing and levy of assessment	„	s. 8.
Settlement of assessment with whom to be made	„	s. 9.
Liability for land-revenue	„	s. 10.
Claims of Government to have precedence	„	s. 11.
Payments how to be made	„	ss. 9, 12.
Recovery by attachment and sale of property or imprisonment of defaulter	„	s. 13.
Stay of proceedings against defaulter on his paying under protest	„	s. 15.
Fees for warrants issued under s. 13	„	s. 16, Sch. A.
Institution of suits before Revenue Judge against Collector's decisions or proceedings under ss. 8 to 13; stay of proceedings on security being given	„	ss. 14, 15.

LAND-REVENUE—*cont.*

VIII.—BOMBAY CITY—*cont.*

3. Assessment and Collection of Land-revenue—*cont.*

Notice to be given to Collector of transfer of, or succession to, lands, houses, etc., paying land-revenue to Government; penalties for not giving notice	Bom.Act2,1876,ss.30to33, Schs.B,C.	
Registration of transfers, by Collector; holding of enquiry in case of dispute as to transfer	„	ss.34,35.
Recovery, in other parts of the Bombay Presidency, of arrears accruing in Bombay City	Bom.Act5,1879,s.149.	
Certain sums recoverable in same way as arrears of land-revenue	Bom.Act2,1876,ss.18,38.	

4. Survey and Boundaries.

Survey made in 1865 to 1872: demarcation and records to be evidence under Act; alteration or correction of demarcation or records	„	s.19.
Survey boundary-marks:		
Maintenance and repair of; expenses	„	ss.20,22,23.
Entry for inspection of	„	ss.21,23.

5. Miscellaneous.

Revenue Judge:		
Who to be	„	s.17.
Duties of		
Procedure of; appeals; execution of his decrees	„	s.18.
Application of Code of Civil Procedure	„	ss.18,36.
Collector to keep registers and rent-rolls	„	s.39.
Records to be kept in Collector's office; inspection and granting of copies of records	„	s.40.
Rules: power to make; publication of	„	s.41.

IX.—LOWER BURMA.

1. Preliminary.

Local extent of Act	Act2,1876, section 1.	
Definitions	„	ss.3,44.

2. Assessment of Land-revenue.

What land liable to assessment; rates and mode of assessment; power to alter rates	„	ss.23to25.
Settlement: right to apply for	„	s.26.
„ nature of	„	s.27.
„ rights conferred by	„	s.28.
„ term of	„	s.29.
„ continuance of expired settlement until new settlement is made	„	s.30.
Power to exempt land from revenue	„	s.18(*c*).
Power to impose toungya tax in lieu of revenue assessment; rates of tax	„	s.33.
Power to impose land-rate in lieu of capitation tax; amounts of rate; power to exempt lands from payment of rate	„	ss.35,36,Sch.
Year of assessment of revenue or rate; enhancement when to take effect	„	s.41(pt.rep.Act 2,1880),s.42.
Power to make rules as to assessment of revenue, rate or tax	„	s.58(*a*).

LAND-REVENUE—*cont.*

IX.—LOWER BURMA—*cont.*

2. Assessment of Land-revenue—*cont.*

Persons liable to income tax not to be assessed to land-rate	Act 2, 1886, s.48.	
Arakan Hill District:		
Assessment of measured land in the plains; tax on toungyas; alteration of rates; exemptions	Reg. 9, 1874, ss.10, 11, 13, 14.	

3. Collection of Land-revenue.

Personal liability for land-revenue and land rate or toungya tax imposed in lieu thereof	Act 2, 1876, ss.37, 38.	
Revenue, rate or tax when due, and where and to whom payable	„	s.43.
Power to make rules as to collection of revenue, rate or tax	„	s.58(*a*).
Arrear of land-revenue, rate or tax:		
Definition of "arrear" and "defaulter"	„	s.44.
Realisation of, by Revenue-officer; his procedure; notice of demand to be issued	„	s.45.
Proceedings against the land for recovery of arrear of land-revenue or land-rate	„	ss.46 to 50.
Recovery of—		
costs of proceeding for realising arrear	„	s.51.
collections for which absconding Revenue-officer has not accounted	„	ss.52, 53.
Recovery as, of money payable in consideration of grant or other disposition of Government land	„	s.18(*d*).

4. Miscellaneous.

Erection and repair of boundary-marks	„	s.54.
Appeals from orders	„	s.55.
Bar to jurisdiction of Civil Courts	„	s.56.
Powers conferable on Revenue-officers	„	s.57.
Rules: general power to make	„	s.58.
„ penalty for breach of	„	s.59.
„ publication of	„	s.60.
„ triennial consolidation and publication of	„	s.61.

X.—UPPER BURMA.

1. Revenue-officers.

Classes and jurisdiction of	Reg. 3, 1889, s.4 (am. Reg. 2, 1895, s.1).	
Functions of	„	s.5.
Superintendence and control over	„	s.6.
Distribution of business among, and transfer and withdrawal of cases	„	s.7.
Appeal from orders of; review; revision	„	ss.8 to 11.
Procedure of	„	s.12.
Powers of, as to exclusion of legal practitioners	„	s.13.
Power of, to call evidence	„	s.14.
Service of summonses, notices and orders issued by	„	ss.15, 16.
Proclamations by, how to be made	„	s.17.
Holidays to be observed by	„	s.18.

LAND-REVENUE—*cont.*

X.—UPPER BURMA—*cont.*

1. Revenue-officers—*cont.*

Discharge of duties of Collector dying or being disabled - - Reg. 3, 1889, section 19.
Retention of powers on transfer - - - - - - „ s.20.
Authority to confer powers of, on any person - - - - „ s.21.

2. Assessment of Land-revenue.

What lands liable to land-revenue; assessment how made - - „ s.27.
Power to declare holders of land in village to be jointly and severally responsible for revenue - - - - - „ s.28.
Power to enter, demarcate and survey land, and cause ripe crop to be cut, etc., and measure produce, for purpose of assessment - „ s.49A(ins.Reg. 3,1894,s.1).

3. Collection of Land-revenue.

Time and mode of payment; definitions of "arrear" and "defaulter" - - - - - - - - - - „ s.38.
Revenue the first charge on rents, etc. - - - - - „ s.39.
Certified account to be conclusive evidence of arrear, except in certain cases - - - - - - - - - „ ss.40,43.
Processes for recovery of revenue; effect on encumbrances of sale of immovable property; disposal of proceeds of sale of property- „ ss.41,42,45.
Payment under protest and recovery by suit of sum paid - - „ s.43.
Power to make rules as to - - - - - - - - „ s.44.
Prohibition of Revenue-officers or employés purchasing property sold - - - - - - - - - - „ s.46.
Application of ss. 38 to 46 to recovery of—
sums realisable under other enactments as arrears of land-revenue - - - - - - - - - „ s.47.
thathameda tax, rent of State lands and other moneys due to Government - - - - - - - - „ ss.26(iv),37.
Bar to jurisdiction of Civil Courts - - - - - - „ s.53.

4. Miscellaneous.

Preparation and maintenance of record-of-rights and register of mutations; power to make rules - - - - - - „ ss.29,30.
Power of Revenue-officer to put one party in possession when dispute arises on enquiry as to transfer of estate, etc. - - „ s.30.
Rules as to process-serving establishments; power to make - „ s.49.
„ general power of Financial Commissioner to make - - „ s.50.
„ control over rule-making power; publication of rules in draft; penalties for breach of rules - - - - - „ s.51.
Powers of Financial Commissioner exercisable from time to time - „ s.52.
Bar to jurisdiction of Civil Courts - - - - - - „ s.53(pt.rep.Reg.4, 1896,s.4).

XI.—CENTRAL PROVINCES.

1. Preliminary.

Definitions - - - - - - - - - - Act18,1881,s.4(am.Act16, 1889,ss.4to11), s.91,s.136(ins.Act 16,1889,s.26).

LAND-REVENUE—*cont.*

XI.—CENTRAL PROVINCES—*cont.*

1. Preliminary—*cont.*

Power to alter limits of, and create and abolish, districts and tahsils		Act 18, 1881, section 14.

2. Revenue-officers.

Classes of; subordination of; appointment, powers, suspension and removal of	„	ss.5,6(am.Act 16,1889,s.12), 7,8,10,11.
Retention of powers on transfer	„	s.12.
Temporary Deputy Commissioner to have powers of Deputy Commissioner under Act	„	s.13.
Authority to invest them with special powers	„	s.15.
Superintendence and control over	„	ss.16,17.
Power of, to enter on land, etc.	„	s.18.
„ to require attendance and production of documents	„	s.18A(ins.Act16, 1889,s.13).
Procedure of; appearance of legal practitioners before	„	ss.19to21.
Appeals from orders of; limitation of appeal	„	ss.22,23.
Revision of proceedings of	„	ss.24to26.

3. Revenue-survey and Settlement.

(*a*) *Preliminary.*

Notification of survey, and effect thereof	„	s.27.
Notification of settlement	„	s.28.
Appointment, suspension and removal of Settlement-officers	„	s.29.
Titles of Settlement-officers		Act16,1889,s.40.
Powers of Settlement-officers; superintendence and control; appeals; revision		Act18,1881,ss.30,31,33to 35(am.Act12, 1891),36to38.
Appointment and powers of Settlement Commissioner	„	s.32.
Duration of settlement operations	„	s.39.
Power to enter on and survey land and demarcate boundaries	„	s.18.

(*b*) *Demarcation.*

Demarcation and disposal of unowned lands	„	ss.40to42,133.
Power to form mahals	„	s.43.
„ exclude town or land from settlement operations	„	s.44.
Erection of new, and repair of existing, boundary-marks	„	s.45(am.Act16, 1889,s.14).
Penalty for injuring boundary-mark; re-erection or repair of mark after injury	„	ss.134,135(am.Act 16,1889,s.25).

(*c*) *Assessment of Land-revenue.*

Separate sum to be assessed on every mahal; power to reduce assessment; special assessment of forest mahal	„	s.46(am.Act16, 1889,s.15).
Instructions by Chief Commissioner to Settlement-officer as to principles of assessment, etc.	„	s.47.

LAND-REVENUE—*cont.*

XI.—CENTRAL PROVINCES—*cont.*

3. Revenue-survey and Settlement—*cont.*

(c) *Assessment of Land-revenue*—cont.

Certain lands not to be assessed	Act 18, 1881,	section 48.
Assessment to whom to be offered	„	s.49.
Sub-settlement to be made with inferior proprietors; payment of certain profits to superior proprietor; revenue a first charge on land comprised in sub-settlement	„	ss.50,51,64,65.
Sanction, revision and confirmation of settlement	„	ss.52,53.
Option to accept or refuse assessment; acceptance to be in writing; when acceptance may be implied; effect of acceptance; power to rescind or repudiate assessment	„	ss.54to56.
Ascertainment and notification of amount payable, when assessment of forest mahal is in form of rates, etc.	„	s.56A(ins.Act16, 1889,s.16).
Procedure when only some proprietors accept assessment	„	s.58.
Procedure on refusal of assessment, and rights of proprietors refusing	„	ss.57to63.
Protection of thikadar, gaontia or farmer against arbitrary enhancement or ejectment	„	s.65A(ins.Act16, 1889,s.17).
Apportionment of assessment over lands held in severalty; redistribution of land according to custom	„	ss.66,67.
Assessment of raiyatwari villages; right of raiyat inheritable, but not transferable; partition	„	ss.67Ato67H(ins. Act16,1889,s.18).
Revenue payable by raiyats holding Government land not included in raiyatwari village	„	s.67I(ins.Act16, 1889,s.18).

(d) *Investigations by Settlement-officer, and Preparation of Record-of-Rights.*

Settlement-officer to ascertain proprietors, to determine and record sir-land, to ascertain customs or rules as to management of mahal, to determine channel for payment of revenue, to record status of tenants, etc.	„	ss.68,69(am.Act 16,1889,s.19), ss.70to72.
Enquiry into claims to hold revenue-free, etc.	„	ss.73to75.
Determination of village-cesses leviable	„	s.76.
„ disputes as to certain rights or customs	„	s.77.
Procedure of Settlement-officer in deciding disputes	„	s.78.
Preparation, custody and effect of records-of-rights	„	ss.79to82.
Power of Settlement-officer to require attendance and production of documents	„	s.18A(ins.Act16, 1889,s.13).
Suits to contest settlement decisions or entries in record-of-rights; revision by Chief Commissioner	„	ss.83,84.
Proceedings in respect of Government lands	„	s.85.

(e) *Miscellaneous.*

Provisions as to settlements made before commencement of Act	„	ss.86to89.
Authority to invest officers during currency of settlement with powers of Settlement-officer	„	s.133.

LAND-REVENUE—*cont.*

XI.—CENTRAL PROVINCES—*cont.*

4. Revenue-administration.

(*a*) *Collection of Land-revenue.*

Instalments, times, places, and manner at and in which payments to be made	Act 18, 1881,	section 90.
Arrears of land-revenue:		
Definition of "arrear" and "defaulter"	„	ss.91(am.Act16, 1889,s.20).
Realisation of arrears payable direct to Government:		
Authenticated account to be conclusive evidence of arrear, except in certain cases	„	ss.92,114.
Service of notice of demand	„	ss.93,113.
Processes for recovery	„	ss.94,95(am. Act16,1889, s.21),96to 111,113.
Costs recoverable as part of arrear	„	s.112.
Right of person denying liability to pay amount under protest and institute suit in Civil Court for recovery thereof	„	s.114.
Realisation of arrears not payable direct to Government	„	ss.115to118.
Interest on arrears	„	s.119.
Recovery, as arrears of land-revenue, of—		
village-officers' dues	„	s.149(am.Act 16,1889,s. 35).
balances due by farmer	„	s.157.
other moneys payable to Government under Act	„	s.158.

(*b*) *Revenue and Village Records.*

Correction and revision of record-of-rights	„	ss.120to122.
Enforcement by Government of rule, custom or condition entered in record-of-rights	„	ss.124,125.
Control and management of forest land in accordance with record-of-rights	„	s.124A(ins.Act 16,1889,s. 22).
Record of changes affecting record-of-rights	„	s.125(am.Act 16,1889,s. 23),ss.126 to129.
Records to be open to inspection	„	s.131.

(*c*) *Village-officers, Patwaris and Watchmen.*

Appointment, remuneration, powers, duties, suspension and removal of lambardars, sub-lambardars, mukaddams and patels	„	s.137(am.Act16, 1889,s.27),ss. 138to143,s. 143A(ins. Act16,1889, s.28.

LAND-REVENUE—*cont.*

XI.—CENTRAL PROVINCES—*cont.*

4. Revenue-administration—*cont.*

(*c*) *Village-officers, Patwaris and Watchmen*—cont.

Remuneration of mukaddam by holders of sir-land in Sambalpur District	Act 18, 1881,	section 150.
Penalty on mukaddam failing to perform duty or abusing powers, and on person disobeying order of mukaddam	„	ss.161A,161B (ins.Act16, 1889,s.39).
Appointment, remuneration, duties and punishment of patwaris	„	ss.144,146(am.Act 16,1889,ss.29,31,
Contribution by proprietors, etc., towards remuneration of patwaris and defraying of charges for supervision of patwaris, etc.	„	s.146A(ins.Act 16,1889,s.32).
Patwaris' papers "public documents" within meaning of Evidence Act, 1872	„	s.146.
„ „ inspection, etc., of	„	s.147.
Power to make rules as to appointment, etc., of village watchmen	„	s.147A(ins.Act16, 1889,s.33).
Confirmation of existing officers	„	s.148(am.Act16, 1889,s.34).
Recovery of officers' dues	„	s.149(am.Act16, 1889,s.35).

(*d*) *Partition of Mahals.*

Definition of "perfect partition" and "imperfect partition"	„	s.136
Persons entitled to partition	„	ss.136A, 136B
Bar to jurisdiction of Civil Courts	„	s.136C
Imperfect partition :		
Application for	„	ss.136D, 136E
Power to reject application on preliminary enquiry	„	s.136F
Ascertainment and disposal of objections to partition; appeal	„	ss.136E, 136G to *136I*
Option to parties to make partition themselves or appoint arbitrators	„	s.136J
Principles to be followed in making partition	„	s.136K to136P
Power to stay proceedings	„	s.136Q
Sanction of Chief Commissioner required	„	s.136R
Notification of partition	„	s.136S
Perfect partition :		
Application for	„	s.136T
Power to effect	„	s.136U
Power to make rules as to partitions	„	s.136V
Partition of survey numbers	„	s.67E(ins Act 16,1889,s.18).

(ins.Act16,1889,s.26).

(*e*) *Miscellaneous.*

Annual enquiry as to land held free from revenue; re-assessment of such land	„	s. 130.

LAND-REVENUE—*cont.*

XI.—CENTRAL PROVINCES—*cont.*

4. Revenue-administration—*cont.*

(*e*) *Miscellaneous*—cont.

Certain powers of Settlement-officers to be exercised by Deputy Commissioners when settlement not in progress - - - Act18,1881,s.1(am.Act16, 1889,s.24).

5. Miscellaneous.

Right of Government to mines, quarries and fisheries - - „ s.151(rep.in pt.Act 16,1889,s.36).

Bar to jurisdiction of Civil Courts - - - - - „ s.152(am.Act16, 1889,ss.37,38), s.154.

Bar of suits for certain village cesses - - - - „ s.153.

Restriction on Revenue and Settlement-officers and employés trading or holding land - - - - - - s.155.

When mahal officially managed or farmed, rents to be paid to Deputy Commissioner - - - - - - „ s.156.

Recovery of balances due under Act - - - - - „ ss.157,158.

Mode of conferring powers under Act; power to cancel order conferring powers - - - - - - „ ss.160,161.

Power of Chief Commissioner to make rules - - - „ s.162.

XII.—COORG.

1. Preliminary.

Definitions - - - - - - - - Reg.1,1889,ss.3,6.

2. Collection of Land-revenue.

Land, buildings and products to be security for revenue - - „ s.4.

Time for payment of revenue, and person to whom payable - - „ s.5.

Receipt to be given for revenue - - - - - „ s.62.

Bar to jurisdiction of Civil Courts as to rate of, or amount of assessment of, land-revenue; suits in other cases under Regulation when to lie - - - - - - - „ ss.63,64.

Arrear of land-revenue:

Power to levy arrear immediately, with penalty and costs; definition of "arrear" and "defaulter" - - - „ s.6.

Processes for recovery of: notice of demand; summons; distraint and sale of moveables; attachment and management or sale of immoveable property - - - - - „ ss.7to58.

Enforcement of payment by sureties - - - - „ s.60.

Deduction from rent, by tenant, of—

value of produce distrained or sold for landlord's arrear- - „ s.15

amount paid to release landlord's immoveable property attached for arrear - - - - - - „ s.39.

Appointment of officers to issue notices, make distraints, etc. - „ s.59.

Recovery, as arrears of land-revenue, of—

cesses and muhtarifa and sums payable to Government in respect of occupancy of land or supply of water for irrigation - - - - - - - - „ s.3(*1*).

LAND-REVENUE—*cont.*

XII.—COORG—*cont.*

2. Collection of Land-revenue—*cont.*

Arrear of land-revenue—*cont.*:
Recovery, as arrears of land-revenue, of—*cont.*
fees or dues payable to or on behalf of village-servants employed on revenue or police duties - - - - Reg.1,1889,s.61.
rate for maintenance of land-records and remuneration of village-officers - - - - - - - Reg.4,1893,section 5.

3. Rate on Land.

Power to impose rate for preparation and maintenance of land-records and remuneration of village-officers; abolition of fees, etc., formerly collected by village-officers: definition of "village-officer" - - - - - - - - - „ ss.2,3.
Limit to rate; rate how levied in case of rent-free and revenue-free lands; levy on uncultivated barés - - - - - „ s.4(am.Reg.2, 1894,s.2).
Recovery of - - - - - - - - - - „ s.5.
Bar to jurisdiction of Civil Courts - - - - - - „ s.6(*1*).
Jurisdiction rests with Commissioner of Coorg; appeal to Chief Commissioner - - - - - - - - „ s.6(*2*),(*3*).

4. Revenue-survey and Settlement.

Power to order revenue-survey; land to be surveyed; control of Local Government over survey - - - - - - - [1]Bom.Act5,1879,s.95.
Power of Survey-officer to require assistance - - - - - „ ss.96,97.

5. Boundaries.

Rules for fixing boundaries of villages and determining disputes relating thereto - - - - - - „ s.118.
Determination of boundaries of fields or holdings - - - „ s.119.
Settlement of boundary disputes by arbitration; settlement by Survey-officer on failure of arbitrators - - - - - „ s.120.
Effect of settlement of boundary - - - - - - „ s.121.
Boundary-marks:
Construction and repair of, and assessment of charges; responsibility for maintenance of - - - - - - „ ss.122,123.
Village-officers and servants to prevent destruction or unauthorised alteration of - - - - - - - „ s.123.
Penalty for injuring, etc.; disposal of fines - - - „ s.125.

6. Miscellaneous.

Subordination of Revenue-officers - - - - - - „ s.188.
Power to call evidence; provisions as to summonses - - - „ ss.189,190.
Service and validation of notices - - - - - - „ s.191.
Power to enter land for purposes of measurement, etc.; notice of entry „ s.200.

[1] Ss. 95 to 97, 118 to 123, 125, 188 to 191 and 200 of Bom. Act 5, 1879, have been extended to Coorg by notification under the Scheduled Districts Act, 1874.

LAND-REVENUE—*cont.*

XIII.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS).

1. Preliminary.

Mad. Regs. 1 and 2 of 1803, 8 of 1817, 7 of 1828 and 10 of 1831, and Acts 7 of 1839, 10 of 1849, 7 of 1857, and 28 of 1860, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts — Act15,1874,s.4.

Mad. Act 2, 1864 (Recovery of revenue), not to apply to City of Madras — Mad.Act2,1864,s.64.

Mad. Act 8, 1865 (Recovery of rent or revenue), not to apply to—
- City of Madras — Mad.Act8,1865,s.88.
- Malabar District or South-East Wynaad — Mad.Act1,1896.

Power of Local Government to alter limits of districts — Mad.Act1,1865(pt.rep. Act3,1873).

2. Revenue-authorities.

Board of Revenue:
- General duties of — Mad.Reg.1,1803,s.4.
- Powers of superintendence and control exerciseable by — „ s.5.
- Responsibility of, for discharge by subordinate officers of their duties; power to punish such officers — „ s.33.
- Provisions as to holding of meetings of members — „ ss.6,24.
- „ „ conduct of business by — „ ss.16to22. 25to28.
- Distribution of business between members of — „ s.23. Mad.Act1,1894.
- Power to appoint a member of the Board, by commission, to perform duties of Board — Act10,1849.
- Powers of President of — Mad.Reg.1,1803,ss.16,20, 24to28,30to32.
- Official seal of — „ s.8.
- Duties of, as to records and correspondence — „ ss.9to15.
- „ „ care of public moneys and records on death, resignation or removal of Collector — „ s.48.
- Responsibility of, as to speedy completion of temporary settlement and submission of same to Local Government — „ ss.35,36.
- General duties of, as to supervision of temporary settlements — „ s.37.
- Duty of, to see that revenue is duly realised — „ s.38.
- Not to make or confirm revenue-free grants, etc., without authority of Local Government — „ s.42.
- Members not to trade, etc. — „ s.40.
- Orders of Local Government when required to deputation of officer by Board — „ ss.49,50.
- Duties of, as to supervision of expenditure — „ ss.52to54.
- „ as to remission and suspension of revenue — „ ss.55,56.
- „ as to sale of permanently-settled land for arrears of revenue — „ s.57.

Collectors:
- to be members of Indian Civil Service — Mad.Reg. 2,1803,s.2.
- to collect the revenue — Mad.Reg. 2,1803,s.2.
- to be under control of Board of Revenue — „ s.5.
- „ to furnish papers and accounts to other officials on requisition — „ s.6.

LAND-REVENUE—*cont.*

XIII.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*cont.*

2. Revenue-authorities—*cont.*

Collectors; proceedings of, to be conducted publicly	Mad.Reg.2,1803,section7.
„ general duties of, and general control exerciseable by, for administration of public revenues	„ ss.8,9.
„ diaries to be kept by	„ s.11.
„ how to keep public money	„ s.12.
„ to furnish Board of Revenue with statement of revenue permanently assessed, and of other items of revenue	„ s.13.
„ to give instructions, etc., to persons deputed to attach estates	„ s.15.
„ execution by, of decree of Court ordering sale of land paying revenue to Government	„ ss.20,21.
„ management by, of estates of disqualified proprietors	„ s.25.
„ not to publish orders affecting intercourse with foreign States without express order of Local Government	„ s.65.
„ delivery of documents by Collector to successor; successor to count cash balance and give receipt	„ ss.68,69.
Collectors and Assistant Collectors not to trade, etc.	„ ss.60,61,63,64.
Leave of absence to Collector or Assistant Collector	„ ss.66,67.
Delegation of powers of Collector to Assistant Collectors; his powers of control over their proceedings	Mad.Reg.7,1828,s.3.
Certain Deputy Directors of Revenue Settlement invested with certain powers of Sub-Collector	Act28,1860,s.31.
Deputy Collector:	
Power to appoint	Act7,1857,s.1.
To have same powers and duties, and be subject to same control, as Assistant Collector	„ s.3.
Suspension and dismissal of	„ s.6.
Mad. Act 7, 1857, repealed as to Deputy Magistrates	Act12,1873.
Private servants not to be employed on public business, and *vice versâ*	Mad.Reg.2,1803,s.36(pt. rep.Mad.Act2. 1869).
Power to fine subordinates	„ s.37.

3. Settlement and Assessment of Land-revenue.

(*a*) *Settlement.*

Permanent settlement. *See* PERMANENT SETTLEMENT, 2.

Temporary settlements:

Responsibility of Board of Revenue as to speedy completion of settlements and submission of same to Local Government	Mad.Reg.1,1803,ss.35,36.
Not valid till confirmed by Local Government	„ s.36.
General duties of Board of Revenue as to supervision of	„ s.37.

(*b*) *Assessment of Land-revenue.*

Principles to be followed in assessing lands not permanently settled	Mad.Reg.2,1803,sections 38to40.
Apportionment of assessment on transfer of land or sub-division of estate	„ ss.16to18.
Apportionment of assessment on sale of land	Mad.Act2,1864,ss.45,46.

LAND-REVENUE—*cont.*

XIII.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*cont.*

3. Settlement and Assessment of Land-revenue—*cont.*

(*b*) *Assessment of Land-revenue*—cont.

Assessment of land-revenue payable on alienated portion of permanently-settled estate; appeal; re-adjustment of assessment - Mad.Act1,1876,ss.1to3, 7.8.

(*c*) *Revenue-free lands.*

Board of Revenue not to make or confirm revenue-free grants, etc., without authority of Local Government - - - - Mad.Reg.1,1803,s.42.

Unauthorised alienation of land to be reported to Board; land not to be resumed without Board's authority - - - - Mad.Reg.2,1803,s.41.

Board's authority required before Collector grants kauls or alienates land - - - - - - - - - „ ss.43,44.

Inam lands:

Suit for, may be brought in Civil Court - - - - Act23,1871,s.7(*f*). Mad.Act4,1862,s.1. Mad.Act4,1866,ss.1,3.

Proof of enfranchisement of - - - - - - Mad.Act4,1862,s.2. Mad.Act4,1866,s.2.

Title-deeds of, not to affect rights, etc., of any person but the *holder* thereof - - - - - - - Mad. Acts 4, 1862, and 4, 1866, not to be deemed to confer on inam-holder any right to land which he would not otherwise possess - - - - - - - - - Mad.Act8,1869.

See also PERMANENT SETTLEMENT, 2.

4. Revenue-administration.

(*a*) *Collection of Land-revenue.*

Land, buildings and products to be security for revenue - - Mad.Act2,1864,s.2.

Instalments and dates for payment of revenue - - - „ s.3.

Duty of Board of Revenue to see that revenue is duly realised - Mad.Reg.1,1803,s.38.

Collector to see that revenue is paid regularly - - - Mad.Reg.2,1803,s.14.

Collection of revenue of lands held khas - - - - „ s.26.

„ assessments for payment of police - - - „ s.31.

Duties of Board of Revenue as to remission and suspension of revenue - - - - - - - - - Mad.Reg 1,1803,ss.55,56.

Receipts to be given for revenue - - - - -Mad.Reg.2,1803,ss.33to35. Mad.Act2,1864,s.56.

Power, where land-revenue is payable in kind, to prevent removal of crop until division made - - - - - „ s.51.

Arrears of land-revenue:

Duties of Board of Revenue as to sale of permanently-settled land for arrears - - - - - - Mad.Reg.1,1803,s.57.

To be recovered by Collector - - - - - Mad.Reg.2,1803s.14.

Collector to give instructions, etc., to persons deputed to attach estates for arrears - - - - - - „ s.15.

Conditions of sale to specify obligations not included in general conditions - - - - - - - „ s.19.

LAND-REVENUE—*cont.*

XIII.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*cont.*

4. Revenue-administration—*cont.*

(*a*) *Collection of Land-revenue*—cont.

Arrears of land-revenue—*cont.* :

Recovery of arrears due in respect of estate of minor or other proprietor disqualified to manage his affairs	Mad.Reg.5,1804,s.14(*f*). Mad.Reg.10,1831,s 2(*l*).
Recovery of arrears due in respect of estates held by native officers or soldiers	Mad.Reg.8,1817,s.9(am. Act13,1894), App.,Form5.
Mad. Regs. 1 and 2, 1803, not to apply in case of arrears recoverable under Mad. Act 2, 1864	Mad.Act2,1864,section62.
"Arrear" defined	,, s.4.
Processes for recovery of	,, ss.5,6.
Interest on	,, ss.7,54.
Notice of demand to be issued	,, ss.8,25.
Seizure and sale of moveable property; distraint	,, ss.8to24.
Attachment and sale of land or buildings; management of attached property; rules as to sales	,, ss.25to38(am. Mad.Act3, 1884,Mad. Act1,1897), 39to45,47.
Apportionment of assessment where only part of an estate sold	,, ss.45,46.
Arrest and imprisonment of defaulter or his surety	,, ss.48,49.
Enforcement of processes against sureties	,, ss.49,50.
Batta to be paid to process-servers	,, ss.53,54.
Owner of property put up for sale to bear expenses when sale countermanded	,, s.55.
Recovery of, outside the district in which default made	,, s.57.
Mad. Regs. 5, 1804, and 10, 1831, not affected by Mad. Act 2, 1864	,, s.63.
Permanently-settled estate not liable for arrears of assessment made on alienated portion, and *vice versâ*	Mad.Act1,1876,s.4.
Proceedings may be taken against person registered as proprietor of estate under Mad. Act 3, 1896 (Malabar and South Wynaad)	Mad.Act3,1896,s.13.
Recovery of arrears from occupants registered jointly with proprietors under Mad. Act 3, 1896	,, s.15.
Landholders may sue in Civil Court for arrears of revenue due to them	Mad.Act8,1865,s.87.
Powers of Tahsildars for sale of property distrained for arrears of revenue; their fees to be credited to Government; delegation of such powers	Act7,1839,ss.2,3,5,6.

See also PERMANENT SETTLEMENT, 2.

Certain sums declared to be recoverable as	Mad.Act2,1864,ss.1,52,54, 55. Mad.Act8,1865,s.70. Mad.Act3,1896,s.17.

(*b*) *Miscellaneous.*

Bar to jurisdiction of Civil Courts in questions as to rate of land-revenue or amount of assessment fixed on partition; jurisdiction not affected in other cases, but six months' limitation imposed	Mad.Act2,1864,ss.58,59.

LAND-REVENUE—*cont.*

XIII.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*cont.*

4. Revenue-administration—*cont.*

(*b*) *Miscellaneous*—cont.

Suits against Collector in respect of acts of his predecessor; limitation	Mad.Act2,1864,s.60.
Power of Revenue-officers to summon witnesses and require production of documents; procedure	Mad.Act3,1869.
Investiture of officers enquiring into matters connected with revenue-administration with power to summon witnesses and require production of documents, etc.; their procedure	Mad.Act5,1893.

XIV.—CITY OF MADRAS.

What included in "revenue"	Mad.Act6,1867,s.1.
All unassessed lands to be assessed; appeal to Board of Revenue	Act12,1851,s.1(am.Act12, 1891),s.3.
What lakhiraj tenures to be valid	,, s.2.
Enquiry into claims to hold land free of assessment; assessment of land when claim not substantiated	,, s.12.
Power to order measurement of assessable lands; abatement or increase of revenue or rent when actual area found not to correspond with area charged for; appeal to Board of Revenue	,, ss.4to6.
Collection of land-revenue:	
Priority of Government claim for revenue	,, s.9.
Land and buildings to be security for revenue	Mad.Act6,1867,s.3.
Limitation of claims to arrears	Act12,1851,s.11.
Interest on arrears of revenue	Mad.Act6,1867,ss.5,29.
Distress and sale of moveable property for recovery of arrears of revenue	Act12,1851,s.10. Mad.Act6,1867,ss.4,6to 13,30.
Sale of land and buildings where arrears cannot be recovered by distress and sale of moveable property	Mad.Act6,1867,ss.4,14to 16,18to27,30.
Recovery by tenant, mortgagee, etc., of sums paid for person liable	Act12,1851,s.8. Mad.Act6,1867,s.17.
Allowances to process-servers	Mad.Act6,1867,ss.28,29.
Certain sums recoverable as arrears of revenue	,, ss.29,30.
Limitation of suits to contest proceedings under Act	,, s.31.
When Collector has left, suits to contest proceedings under Act may be brought against his successor	,, s.32.
Exclusion of jurisdiction of High Court in questions relating to ground-rent	Act12,1851,s.16.
Suits under Act to be tried by Civil Courts in Chingleput District	,, s.17.
Penalty for obstructing Collector or subordinates	,, s.13.
Power of Collector to punish contempts	,, s.14.
Control over Collector	,, s.15.
Mad. Act 6, 1867, to be taken as part of Act 12, 1851	Mad.Act6,1867,s.33.

XV.—NORTH-WESTERN PROVINCES.

1. Preliminary.

Act 19, 1873, extends to whole of N.-W. Provinces except certain territories, and may be extended to such territories by notification	Act19,1873,s.1,Sch.I.

LAND-REVENUE—*cont.*

XV.—NORTH-WESTERN PROVINCES—*cont.*

1. Preliminary—*cont.*

Ben. Reg. 9, 1833, and Act 21, 1836, declared in force throughout the N.-W. Provinces, except as regards the Scheduled Districts - Act15,1874,s.7.

Definitions - Act19,1873,s.3(am.Act8, 1879,s.2),s.44 (am.Act8,1879, s.6),s.107,ss.141, 146(am.Act8, 1879,ss.11,12), s.148.

Power to create, alter and abolish divisions, districts, tahsils and sub-divisions - Act21,1836. Act19,1873,s.14(am.Act 20,1890,s.4).

2. Revenue-authorities.

Board of Revenue to be Chief Controlling Revenue-authority; its general powers; appointment and removal of members - „ s.4(am.Act20, 1890,s.64),ss.5 to9,s.9A(ins. Act20,1890, s.3).

Power to authorise member to exercise functions of Board - - „ s.10.

Appointment, etc., of Commissioners, Additional Commissioners, Collectors and Assistant Collectors - - - - „ ss.11,11A(ins. Act15,1886,s.1), ss.12,13,15.

Deputy Collectors:

Appointment of - - - - - - - Ben.Reg.9,1833,ss.16,17 (am.Act19, 1886,s.1).

Natives eligible for office - - - - - - „ s.17.

Remuneration of - - - - - - - „ s.18.

Subordination of; duties of; record of proceedings of - - - „ ss.20to24.

Suspension and removal of - - - - - „ s.25(am.Act19, 1886,s.1).

Subordination of - - - - - - - Act19,1873,sections13,16.

Powers of, generally - - - - - - „ ss.234,235(am. Act8,1879,s.26), ss.236,237.

Conferment of powers on - - - - - - - „ ss.17,19,257.

Transfer of cases to, and withdrawal of cases from, subordinates - „ s.18.

Temporary Collector to have powers of Collector under Act - - „ s.20.

Retention of powers on transfer - - - - - „ s.21.

See also PATWARIS AND KANUNGOS, III.

3. Settlement.

Permanent Settlement, Benares. *See* PERMANENT SETTLEMENT, 3.

Notification of settlement and of preparation of record-of-rights - - - - - - - - - „ s.36.

Duration of settlement operations; transfer of pending proceedings to Collector - - - - - - - - „ ss.37,259.

Appointment of Settlement-officers - - - - - - „ s.38.

LAND-REVENUE—*cont.*

XV.—NORTH-WESTERN PROVINCES—*cont.*

3. Settlement—*cont.*

Rules to be issued as to assessment	Act 19, 1873,	section 39.
Powers of Settlement-officer—		
as to erection of boundary-marks	„	s. 40.
as to calling for evidence	„	s. 42.
General powers of Settlement-officers and others	„	ss. 41, 238 to 240.
Settlement with whom to be made	„	s. 43, s. 44 (am. Act 8, 1879, s. 6).
Framing and reporting of general proposals of assessment; declaration of amount of assessment	„	s. 45
Agreement to proposed assessment; distribution of assessment	„	s. 46.
Enforcement of customs as to redistribution of land or re-adjustment of revenue	„	s. 47.
Exclusion of person not accepting assessment	„	s. 48
Fixing of rent to be paid by excluded proprietor as ex-proprietary tenant for his sir-land	„	s. 52.
Power to determine which of several parties having separate interest shall be admitted to settlement, and to prescribe distribution of profits among them	„	s. 53.
Sub-settlements	„	ss. 54 to 56.
Power to make arrangements for benefit of persons possessing rights which do not entitle them to settlement	„	s. 56.
„ make separate settlement of waste land	„	ss. 57, 61.
„ declare certain waste land to belong to Government; ascertainment and disposal of claims thereto	„	ss. 58 to 61.
Record-of-rights:		
What to contain	„	ss. 62, 63, 65 (am. Act 8, 1879, s. 7), 68.
Entries to be made, and disputes settled, on basis of possession; claimants not in possession to be referred to Civil Court	„	ss. 64, 69.
Form of; attestation of	„	s. 90.
Presumption as to correction of entries in	„	s. 91.
Continuance of record until new record is made	„	s. 191.
Cesses to be consolidated with rent; preparation of list of cesses; bar to recovery of cesses not included in list; power to impose conditions as to establishments; power to declare what are "cesses"	„	s. 66 (am. Act 8, 1879, s. 8).
Determination of dispute—		
arising under s. 65 or 66	„	s. 67.
as to class or tenure of tenant	„	s. 69.
as to rent payable by tenant	„	s. 70.
Enhancement or determination of rent of ex-proprietary tenant; determination of rent of occupancy-tenant; commutation of rents payable in kind	„	ss. 71 to 74 (am. Act 8, 1879, s. 9), 75 to 78.
Resumption of, or assessment of rent on, rent-free grants	„	ss. 79 to 82, 84.
Rent-free occupancy, and grant of land made by proprietor, not to release land from liability for Government revenue	„	s. 83.
Record and enquiry as to revenue-free tenures; re-assessment	„	ss. 85 to 89.
Confirmation, revision and duration of settlement	„	s. 92.

LAND-REVENUE—*cont.*

XV.—NORTH-WESTERN PROVINCES—*cont.*

3. Settlement—*cont.*

Authority to invest officers with powers of Settlement-officer during currency of settlement	Act 19, 1873,	section 93.
Annual enquiry as to revenue-free grants; assessment	„	ss. 103, 105.
Assessment of land added by alluvion	„	ss. 104, 105.
Continuance of conditions of tenure of land after expiry of settlement until new settlement made	„	s. 191.

4. Revenue-administration.

(*a*) *Collection of Land-revenue.*

Security for land-revenue	„	s. 146 (am. Act 8, 1879, s. 12).
Instalments, places and times at and in which, and persons to whom, payments to be made	„	s. 147.
Arrear of land-revenue:		
Definition of "arrear" and "defaulter"	„	s. 148.
No interest to be demanded on		
Certified account to be conclusive evidence of arrear, except in certain cases	„	ss. 149, 189.
Issue of writ of demand	„	s. 151.
Processes for recovery	„	ss. 150, 152 to 188 (am. Act 8, 1879, ss. 13 to 16; pt. rep. Act 1, 1879).
Payment under protest, and suit for recovery of sum paid	„	s. 189 (am. Act 8, 1879, s. 17).
Proprietor of mahal attached, etc., to be recorded as ex-proprietary tenant of his sir-land; fixing of rent for such land	„	s. 190.
Recovery, as arrears of land-revenue, of —		
costs, etc., payable in connection with boundary-marks	„	ss. 40, 145.
sums due under decree of Revenue Court	„	s. 232.
patwari rate	Act 9, 1889,	s. 5 (2).

(*b*) *Records.*

Maintenance of record-of-rights and registers	Act 19, 1873,	ss. 94, 95 (am. Act 8, 1879, s. 10), 96 to 102.
Records to be open to inspection	„	s. 106.
Record-of-rights. *See also above*, 3.		

(*c*) *Survey and Boundaries.*

Power of Collector, etc., to survey land and demarcate boundaries	„	s. 140.
Erection, maintenance and repair of boundary-marks; recovery of fines, costs, etc.	„	s. 40, s. 141 (am. Act 8, 1879, s. 11), ss. 142 to 145.
Settlement of disputes concerning boundaries	„	ss. 40, 144.

LAND-REVENUE—*cont.*

XV.—NORTH-WESTERN PROVINCES—*cont.*

4. Revenue-administration—*cont.*

(*d*) *Partition and Union of Mahals.*

Definition of "perfect partition" and "imperfect partition"	Act 19, 1873, section 107.
Perfect partition :	
Persons entitled to	,, s.108.
Application for	,, ss.109, 111.
Power to reject application on preliminary enquiry	,, s.112.
Ascertainment and disposal of objections to partition; appeals	,, ss.111 to 115.
Option to parties to make partition themselves or appoint arbitrators	,, s.116.
General powers of Collector, etc., in making partition	,, s.117.
Principles to be followed in making partition	,, ss.118 to 128.
Costs	,, ss.129, 130.
Power to stay proceedings	,, s.130.
Official by whom partition to be made; confirmation and notification of partition	,, ss.110, 131.
Appeals	,, s.132.
New allotment of revenue on proof of fraud or error in first distribution	,, s.133.
Imperfect partition : procedure for	,, s.134.
Bar to jurisdiction of Civil Courts in partition proceedings	,, s.135.
Union of mahals originally forming part of same village	,, ss.136 to 138.
Application of ss. 107, *et seq.*, to partition or union of revenue-free mahals	,, s.139.

(*e*) *Miscellaneous.*

Power to put one party in possession when dispute arises on enquiry as to transfer of property	,, s.101.

5. Miscellaneous.

Place for holding Court of Revenue-officer; power to call for evidence; procedure of Court	,, ss.207 to 211, 212 (am. Act 8, 1879, s. 25), ss.213 to 219.
Execution of decrees made by Revenue-officer or on appeal from his Court	,, ss.232, 233.
Bar to jurisdiction of Civil Courts	,, s.241.
Reference to arbitration	,, ss.220 to 231.
Appeals from orders of officers under Act; revision	,, ss.242 to 255.
Holidays	,, s.252.
Power of Board of Revenue and Local Government to make rules	,, ss.256, 257 (am. Act 8, 1879), s.27.

6. Special and Local Laws.

See BENARES, 1.

XVI.—OUDH.

1. Preliminary.

Definitions	Act 17, 1876, s.2 (am. Act 20, 1890, s.12), ss. 68, 108, 110.

LAND-REVENUE—*cont.*

XVI.—OUDH—*cont.*

1. Preliminary—*cont.*

Power to create, alter and abolish divisions, districts, tahsils and sub-divisions - - - - - - - - Act 17, 1876, s.4B(ins. Act 20, 1890, s.14).

2. Revenue-authorities.

Board of Revenue to be Chief Controlling Revenue-authority; application of N.-W. Provinces Land Revenue Act, 1873, as regards powers, etc., of Board - - - - - - „ s.3(am. Act20, 1890, s.13). Act20, 1890, s.11.

Appointment, etc., of Commissioners, Deputy Commissioners, Assistant Commissioners and Additional Commissioners - - Act17, 1876, ss.4, 4A(pt.rep. Act14, 1878, s.4; am. Act20, 1890, ss.14, 15).

Appointment, etc., of Assistant Commissioner to be in charge of sub-division - - - - - - - - „ ss.7(pt.rep.Act 14, 1878, s.4).

Subordination of - - - - - - - - „ ss.5, 8.

Conferment of powers on - - - - - - - „ s.9(pt.rep.Act 14, 1878, s.4).

Powers of Assistant Commissioners - - - - „ ss.178 to 180.

Transfer of cases to, and withdrawal of cases from, subordinates - „ s.10.

Temporary Deputy Commissioner to have powers of Deputy Commissioner under Act - - - - - - „ s.11.

Retention of powers on transfer - - - - - „ s.12.

Appointment of tahsildars - - - - - - „ s.13(am. Act20, 1890, s.16).

3. Settlement.

Notification of settlement and of preparation of settlement-record - „ s.14(pt.rep.Act 14, 1878, s.4; Act20, 1890, s.17).

Rules to be issued as to assessment - - - - - „ s.15.

„ „ „ settlement-record - - - - „ s.16(am. Act20, 1890, s.18).

Presumption of correctness of entries in settlement-record - - „ s.17.

Duration of settlement operations - - - - - „ s.18.

Appointment of Settlement-officers - - - - - „ s.19(pt.rep. Act14, 1878, s.4).

Investment of Settlement-officers with powers of Civil Court; retransfer of cases to Civil Court; trial of suits not relating entirely to land - - - - - - - - - „ s.20(pt.rep.Act 14, 1878, s.4), ss.21, 22.

Powers of Settlement-officer—

as to erection of boundary-marks - - - - „ s.23.

as to calling for evidence - - - - - „ s.25.

General powers of Settlement-officers and others - - - „ ss.24, 181 to 183 (pt.rep. Act14, 1878, s.4)

Settlement with whom to be made - - - - - ss.26, 27.

LAND-REVENUE—*cont.*

XVI.—OUDH—*cont.*

3. Settlement—*cont.*

Framing and reporting general proposals of assessment; declaration of amount of assessment	Act17,1876	ss.28,29(am. Act20,1890, s.15).
Agreement to proposed assessment; distribution of assessment	„	s.30(am.Act20, 1890,s.15).
Enforcement of custom as to redistribution of land or re-adjustment of revenue	„	s.31.
Exclusion of taluqdar or other person not accepting assessment	„	ss.32to39(am. Act20,1890, ss.15,19,20).
Determination of, and mode of payment of, rent payable to proprietor by under-proprietors and lease-holders in mahal; application of Act 26, 1866	„	s.40.
All land liable to be charged with Government revenue	„	s.41.
Settlement-officers to enquire as to revenue-free lands; re-assessment	„	s.42.
Confirmation of settlement; revision before confirmation	„	ss.43,45(am. Act20,1890, ss.21,22).
Duration of settlement	„	s.44(am.Act20, 1890,s.22).
Annual enquiry as to revenue-free grants; assessment	„	s.46(am.Act20, 1890,s.15), s.50.
Assessment of land added by alluvion; increase of rent	„	ss.47,48,50.
Proportionate reduction or remission of rent when revenue assessment reduced, remitted or suspended	„	s.49.
Authority to invest officers with powers of Settlement-officer during currency of settlement	„	s.51(pt.rep. Act14,1878, s.4).
Resumption, by proprietors, of rent-free grants	„	ss.52to55.
Continuance of conditions of tenure of land after expiry of settlement until new settlement is made	„	s.159.
Validation of rules made by Chief Commissioner for determining — conditions under which subordinate proprietors may obtain sub-settlement, and amounts payable to taluqdars by such proprietors		Act26,1866.

4. Revenue-administration.

(*a*) *Collection of Land-revenue.*

Security for land-revenue	Act17,1876,	section108.
Instalments, places and times at and in which, and persons to whom, payments to be made	„	ss.109(am.Act 20,1890,s.23), 110.
Arrear of land-revenue:		
Definition of "arrear" and "defaulter"	„	ss.111,112.
No interest to be demanded on		
Certified account to be conclusive evidence of arrear, except in certain cases	„	ss.113,156.

LAND-REVENUE—*cont.*

XVI.—OUDH—*cont.*

4. Revenue-administration—*cont.*

(a) Collection of Land-revenue—cont.

Arrear of land-revenue—*cont.* :

Issue of writ of demand	Act 17, 1876, section 114.
Processes for recovery	,, ss. 115 to 155, 158 (am. Act 20, 1890, ss. 24 to 27).
Payment under protest, and suit for recovery of sum paid	,, s. 156.
Proprietor of mahal attached, etc., deemed tenant with right of occupancy in respect of land held in his cultivating occupancy; fixing of rent for such land	,, s. 157.
Recovery, as arrears of land-revenue, of—	
cost of erection of boundary-marks	,, s. 23.
rent of mahal held in sub-settlement or under non-transferable lease	,, s. 158 (am. Act 20, 1890, s. 27).
fees, fines, costs, etc., under Act	,, s. 221.
patwari-rate	Act 9, 1889, s. 13 (2).

(b) Records.

Preparation and maintenance of lists and registers by Deputy Commissioner	Act 17, 1876, ss. 56, 58 to 66 (am. Act 20, 1890, s. 23.
Registers to be "public" documents and to be open to inspection	,, s. 67 (am. Act 20, 1890, s. 23).
Settlement-record : correction of errors in ; decision of disputes as to entries in	,, s. 57.
Settlement-record. *See also above*, 3.	

(c) Survey and Boundaries.

Power of Deputy Commissioner, etc., to survey land and demarcate boundaries	,, s. 102.
Erection, maintenance and repair of boundary-marks	,, ss. 23, 103 to 107.
Settlement of disputes concerning boundaries	,, ss. 23, 106.

(d) Partition and Union of Mahals.

Definition of "perfect partition" and "imperfect partition"	,, s. 68.
Perfect partition :	
Persons entitled to	,, s. 69.
Application for	,, s. 70 (am. Act 20, 1890, s. 15), s. 71.
Power to reject application on preliminary enquiry	,, s. 73.
Ascertainment and disposal of objections to partitions	,, ss. 71, 72, 74, 75.
Option to parties to make partition themselves, or appoint arbitrators	,, s. 76.
Partition by arbitrators	,, s. 77.
General powers of Deputy Commissioner, etc., in making partition	,, s. 78.
Power to hold mehal under direct management pending partition	,, s. 97.

LAND-REVENUE—*cont.*

XVI.—OUDH—*cont.*

4. Revenue-administration—*cont.*

(*d*) *Partition and Union of Mahals*—cont.

Perfect partition—*cont.*:

Principles to be followed in making partition	Act 17, 1876	ss.80to84,85 (am. Act20, 1890,s.15), ss.86to89.
Power to stay proceedings	„	s.90.
Confirmation and notification of partition	„	s.91.
Appeals	„	s.92.
New allotment of revenue on proof of fraud or error in first distribution	„	s.93.
Imperfect partition; procedure for	„	s.94.
Bar to jurisdiction of Civil Courts in partition proceedings	„	s.95.
Validation of prior partitions	„	s.96.
Union of mahals originally forming part of same village	„	ss.97,98.
Application of ss. 69, *et seq.*, to—		
partition or union of revenue-free mahals	„	s.99.
partition of taluqdari and under-proprietary mahals and mahals held by certain lessees	„	s.100.
Determination of rental when partition effected	„	s.101.

(*e*) *Miscellaneous.*

Power of Deputy Commissioner to put one party in possession when dispute arises on enquiry as to transfer of property	„	s.65.

5. Miscellaneous.

Appeals from orders of officers under Act; revision	„	ss.184to189 (am. Act20, 1890,ss.15, 32).
Reference to arbitration	„	ss.191to202 (am. Act20, 1890,s.33).
Place for holding Court of Revenue-officer; power to call for evidence; conduct of proceedings	„	ss.216to218 (am. Act20, 1890,s.34).
Bar to jurisdiction of Civil Courts	„	s.219.
Power of Board to make rules	„	s.220(am. Act 20,1890,s.23; pt.rep. Act14 1878,s.4).

XVII.—PUNJAB.

1. Preliminary.

Definitions	Act 17, 1887	section3.
Exemption from Act of land occupied as site of town or village and not assessed to land-revenue	„	s.4.
Power to vary limits and alter number of tahsils, districts and divisions	„	s.5.

LAND-REVENUE—*cont.*

XVII.—PUNJAB—*cont.*

2. Revenue-officers.

Classes of; appointment, general powers and removal of - - Act 17, 1887, ss.6to10.
Superintendence and control over - - - - - - ,, ss.11,12.
Appeals from orders of; limitation of appeal - - - ,, ss.13,14,15(3).
Revision of proceedings of - - - - - - - ,, ss.15,16.
Procedure of; appearance of legal practitioners before; issue of summons by; service of summons, notice or order of; mode of making proclamation; penalty - - - - - ,, ss.17to22,149.
Place of sitting of; holidays - - - - - - ,, ss.23,24.
Temporary Collector to have powers of Collector under Act - - ,, s.25.
Retention of powers on transfer - - - - - ,, s.26.
Authority to confer powers of, on other persons - - - ,, s.27.
Investment of, with powers of Civil Court; exclusion of jurisdiction of Civil Courts - - - - - - ,, ss.136,137,158.
Execution by, of processes issued by Civil or Criminal Courts for attachment, etc., of land or produce - - - ,, s.141.
Order of Civil Court for attachment of assigned land-revenue to require payment to Collector - - - - - ,, s.142.

3. Assessment of Land-revenue.

Liability of land to - - - - - - - ,, s.48.
Assessment may be in cash or in kind - - - - ,, s.48.
General assessment: procedure for making; confirmation and duration of - - - - - - ,, ss.49to54.
,, ,, refusal to be liable for assessment; transfer of estate to Collector; allowance to landowner - - - - - ,, s.55.
,, ,, distribution of assessment of estate over holdings comprised therein - - - ,, ss.56,57.
,, ,, determination of land-revenue payable by tenant - - - - - Act16,1887,s.27.
,, ,, appeals - - - - - - - Act 17, 1887, section58.
Special assessment: when it may be made; procedure; allowance to landowner refusing offer of waste land - - - - ,, ss.59,60.
Settlement in Hazara District. *See* FRONTIER, E, 6.

4. Revenue-administration.

(a) Collection of Land-revenue.

Security for payment of revenue - - - - - - ,, ss.61,62.
,, ,, ,, ,, not affected by partition, except with consent of Financial Commissioner - - - ,, s.110.
Distribution of revenue after partition - - - - ,, s.120.
Instalments, times, places and manner at and in which payments to be made - - - - - - - ,, s.63.
Power to make rules as to collection, remission and suspension of revenue - - - - - - - - ,, s.64.
Collection of revenue on frontier - - - - Reg.7,1874.

LAND-REVENUE—*cont.*

XVII.—PUNJAB—*cont.*

4. Revenue-administration—*cont.*

(*a*) *Collection of Land-revenue*—cont.

Arrear of land-revenue:

Certified account to be conclusive evidence of arrear, except in certain cases - - - - - - - - - Act 17, 1887, sections 66, 78.

Processes for recovery of:

Writ of demand - - - - - - - - „ s.68.

Arrest and detention of defaulter - - - - - „ s.69.

Distress and sale of moveable property and crops - - - „ s.70.

Transfer of holding to another - - - - - „ s.71.

Attachment and official management of estate or holding - „ ss.72, 74.

Annulment of assessment, farming or official management of land, revision of assessment, and temporary suspension of contracts - - - - - - - - - „ ss.73, 74.

Sale of estate or building free of encumbrances - - „ ss.75, 76.

Proceedings against immoveable property of defaulter other than the estate or holding in respect of which arrear is due „ s.77.

Procedure with reference to sale of immoveable property; right of pre-emption - - - - - - - - „ ss.79 to 96.

Collector's permission required to institution of suit for arrear of assigned revenue - - - - - - - - „ s.64(3).

Costs of process recoverable as part of arrear - - - „ s.65.

Right of person denying liability for an arrear to pay amount under protest and institute suit in Civil Court for recovery thereof - - - - - - - - - „ s.78.

Recovery by Revenue-officer of arrear which should have been paid to village-officer - - - - - - - - „ s.97.

Sums recoverable as arrears of land-revenue - - - „ ss.97, 98, 103(3), 106(3), 147(3).

Application of Ch. IV (ss. 61 to 96) of Act to recovery of sums declared to be recoverable as arrears of land-revenue - „ s.99.

(*b*) *Records.*

Making and revising of record-of-rights and patwaris' annual record - „ ss.31 to 40, 47.

Rights of Government to mines, minerals, forests, etc.; presumptions as to ownership; compensation for infringement of rights of third parties in exercise of Government right - - - „ ss.41 to 43.

Presumption as to correctness of record; suit for declaration of right - - - - - - - - - - „ ss.44, 45.

Power to make rules as to - - - - - - - „ s.46.

Village papers deemed "public documents" - - - - „ s.151.

Nullity of certain entries in record-of-rights affecting tenants, and saving of certain other such entries - - - - - Act 16, 1887, ss.109, 111, 112.

(*c*) *Village-officers, etc.*

Appointment, duties, emoluments and punishment of kanungos, zaildars, inamdars and village-officers; power to direct levy of contribution towards payment of zaildars and inamdars - - Act 17, 1887, s.28 (am. Act 17, 1896, s.1).

Imposition, collection, etc., of cess for remunerating village-officers and for defraying certain expenditure connected with them - „ s.29 (am. Act 17, 1896, s.2).

LAND-REVENUE—*cont.*

XVII.—PUNJAB—*cont.*

4. Revenue-administration—*cont.*

(*c*) *Village-officers, etc.*—cont.

Restrictions on attachment or assignment of remuneration of kanungo, zaildar, inamdar or village-officer	Act 17, 1887,	section 30.

(*d*) *Surveys and Boundaries.*

Power to make rules as to demarcation of boundaries of estates and erection of survey-marks	„	s.100.
Powers and procedure for demarcation of boundaries of estate or part thereof, making of survey, and erection and repair of boundary-marks and survey-marks, by Revenue-officer	„	ss.101to106.
Power of Local Government to direct professional survey of land	„	s.107.
Destruction, etc., of survey-mark: penalty; report to Revenue-officer	„	ss.108,109.
Arbitration in case of disputes	„	ss.127to135.

(*e*) *Partition.*

Partition by Revenue-officer:		
Restrictions and limitations on	„	s. 112.
Application for	„	ss.111,113, 114.
Power to reject application on preliminary enquiry	„	s.115.
Ascertainment and disposal of questions in dispute between persons interested; appeal	„	ss.116to118.
Administration of property excluded from partition	„	s.119.
Distribution of revenue and rent after	„	s.120.
Instrument of partition to be prepared	„	s.121.
Delivery of possession of property allotted	„	s.122.
Affirmation by Revenue-officer of partition privately effected	„	s.123.
Power to make rules as to costs	„	s.124.
Power of Revenue-officer, on application, to re-distribute land in accordance with established custom	„	s.125.
What Revenue-officers empowered to take proceedings	„	s.126.
Arbitration in case of disputes	„	ss.127to135.
Exclusion of jurisdiction of Civil Courts	„	s.158(xvii), (xviii).
Effect of partition under any law on joint liability for revenue or rent	„	s.110.

(*f*) *Miscellaneous.*

Deposit with Revenue-officer of sums, other than rent, payable to landowner or assignee of land-revenue on account of liability under Act; procedure and indemnification of Revenue-officer	„	ss.138to140.
Preservation of attached produce	„	s.143.
Division or appraisement of produce	„	s.144.
Preparation of list of village cesses; bar to recovery of cesses not included in list; power to impose conditions as to establishments; power to declare what are village cesses	„	s.145(pt.rep.Act 17,1896,s.3).
Power to commute superior landowner's dues into a fixed percentage of the land-revenue payable by inferior landowner	„	s.146.

LAND-REVENUE—*cont.*

XVII.—PUNJAB—*cont.*

4. Revenue-administration—*cont.*

(*f*) *Miscellaneous*—cont.

Substitution of service for payment of land-revenue		Act 17,1887,section147.
Recovery of cost of re-assessing land the land-revenue of which has been assigned		,, s.148.
Power of Revenue-officer to eject co-sharer encroaching on common land		,, s.150.
Restriction on Revenue-officers and employés bidding at auction or trading		,, s.154.

5. Miscellaneous.

Arbitration in case of disputes		,, ss.127to135.
Costs		,, s.152.
Application of Indian *Limitation* Act, 1877, for computation of time		,, s.153.
General power of Financial Commissioner to make rules		,, s.155.
Control of Governor-General in Council over making of rules; publication of rules in draft		,, s.156.
Powers of Financial Commissioner exerciseable from time to time		,, s.157.
LANSDOWNE BRIDGE ACT, 1892. (*See* TOLLS, I)		Act8,1892.
LASCARS ACT, 1823. [1] (*See* MERCHANT SHIPPING)		4G.4,c.80.
LATRINES.		
Regulation of. *See cross-references from* DRAINS, LATRINES, ETC.		
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Ascertainment in one part of Her Majesty's Dominions of law in another part		22-3V.c.63.
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LAW REPORTS.		
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LAWS ACT (BANKI), 1881. (*See* BANKI)		Act25,1881.
,, ,, (UPPER BURMA), 1886. (*See* BURMA)		Act20,1886.
,, ,, (CENTRAL PROVINCES), 1875. (*See* CENTRAL PROVINCES)		Act20,1875.
,, ,, ,, ,, 1879. (*See* CENTRAL PROVINCES)		Act2,1879.
,, ,, (LITTLE COCOS AND PREPARIS ISLANDS), 1883. (*See* LITTLE COCOS)		Act8,1883.
,, ,, (OUDH), 1876. (*See* OUDH)		Act18,1876.
,, ,, (PANCH MAHALS), 1885. (*See* PANCH MAHALS)		Act7,1885.
,, ,, (PEINT), 1894. (*See* PEINT)		Bom.Act2,1894.
,, ,, (PUNJAB), 1872. (*See* PUNJAB)		Act4,1872.

[1] This short title was given by 59 & 60 Vict. c. 14.

LAWS ACT (RAIPUR AND KHATTRA), 1879. (*See* RAIPUR)	Act19,1879.
„ „ AMENDMENT ACT (UPPER BURMA), 1891. (*See* BURMA)	Act19,1891.
„ AMENDMENT ACT (PUNJAB), 1875. (*See* PUNJAB)	Act15,1875.
„ „ „ „ 1881. (*See* PUNJAB)	Act24,1881.
„ REGULATION (ADEN), 1891. (*See* ADEN)	Reg.2,1891.
„ „ (AJMERE), 1877. (*See* AJMERE)	Reg.3,1877.
„ „ (ARAKAN HILL DISTRICT), 1874. (*See* ARAKAN HILLS)	Reg.9,1874.
„ „ (BRITISH BALUCHISTAN), 1890. (*See* BRITISH BALUCHISTAN)	Reg.1,1890.
„ „ (SANTHAL PARGANAS), 1886	Reg.3,1886.
„ AMENDMENT REGULATION (ARAKAN HILL DISTRICT), 1893	Reg.8,1893.
„ LOCAL EXTENT ACT, 1874. (*See* ACTS AND REGULATIONS)	Act15,1874.

LEASE.

1. Generally.

"Lease," "lessor," "lessee," "premium" and "rent" defined. (*See also* WORDS AND PHRASES)	Act4,1882,section105.
Registered instrument when required; unregistered instrument or oral agreement when sufficient	„ s.107.
Act 4, 1882, s. 107 (Registration):	
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„ notice to quit	„ s.113.
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„ holding over	„ s.116.
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See also LANDLORD AND TENANT; TRANSFER OF PROPERTY, A.

2. Cases governed by English law.

Grant of reversion good without attornment of tenant	4-5A.c.3,ss.9,10
Assignees of leases and reversions to have benefit of covenants in original leases	32H.8,c.34 [1]
Act 28, 1866, declared in force throughout British India, except as regards the Scheduled Districts	Act15,1874,s.3.
„ „ applies only to cases to which English law is applicable	Act28,1866,s.45.
Definitions	„ s.1.
Restrictions on effect of licenses given under lease	„ ss.20,21.
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[1] These sections are indexed because they are published in the Collection of Statutes relating to India.

LEGACY.
See ADMINISTRATION (INDIAN LAW), 3; SUCCESSION, 6.

LEGAL PRACTITIONERS ACT, 1879 - - - - - Act18,1879.
„ „ „ 1884 - - - - - Act9,1884.

LEGAL PRACTITIONER.

1827. Bom. Reg. 2, ss. 47 to 54, 56 (Pleaders, Bombay Presidency).
1846. Act 1 (Pleaders, etc., Bombay and Madras Presidencies).
1853. Act 20 (Pleaders, etc., Bombay and Madras Presidencies).
1865. Act 20, s. 3 (Repeal).
1866. Bom. Act 12, ss. 16, 17 (Courts, Sindh).
1869. Ben. Act 2, s. 21 (Tenures, Chota Nagpur).
1874. Act 15, ss. 4, 5 (Laws Local Extent).
1877. Reg. 1, s. 27 (Courts, Ajmere).
„ Reg. 2, s. 118 (Revenue Agents, Ajmere).
1879. Act 17, s. 68 (Dekkhan Agriculturists).
„ Act 18 (Legal Practitioners, Assam, Bengal, etc.).
1882. Act 14, s. 635 (Civil Procedure).
1889. Act 11, ss. 73 to 81 (Courts, Lower Burma).
1894. Reg. 1, s. 3 (Laws, Angul).
1896. Reg. 1, ss. 25 to 29, 38 (Civil Courts, Upper Burma).
„ Reg. 9, s. 90 (*d*) (Civil Justice, British Baluchistan).

Generally.
1. Assam, Bengal, Central Provinces, N.-W. Provinces, Oudh, Punjab, etc.
2. Ajmere.
3. British Baluchistan.
4. Bombay and Madras Presidencies.
5. Lower Burma.
6. Upper Burma (except the Shan States).

Generally.

Definitions of "legal practitioner." *See* WORDS AND PHRASES.
Unauthorised persons not to address Chartered High Court - - } Act14,1882,s.635.
Saving of such Courts' power to make rules concerning Advocates, Vakils and Attorneys - - - - - - - } Act14,1882,s.635.
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1. Assam, Bengal, Central Provinces, N.-W. Provinces, Oudh, Punjab, etc.

Act 18, 1879, applies *proprio vigore* to Assam, Bengal, Central Provinces, North-Western Provinces, Oudh and Punjab, and may be extended by notification to other Provinces - - - - - - } Act18,1879,s.1.
„ „ declared in force in Angul and the Khondmals - Reg.1,1894,s.3.
Definitions - - - - - - - - - - } Act18,1879,s.3(am.Act 11,1896,s.1).
Advocates and Vakils duly enrolled:
In what Courts they may practise - - - - - } „ s.4(am.Act9, 1884,s.2).
Power of non-chartered High Courts to enrol and punish advocates - - - - - - - - } „ s.41(am.Act9, 1884,s.8).
Attorneys duly enrolled:
In what Courts they may practise - - - - - „ s.5.
Pleaders, Mukhtars and Revenue Agents:
Power to make rules as to qualifications, admission, etc., of - „ ss.6,16,17.
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Certificate to practise as Revenue Agent not to be granted in Ajmere - - - - - - - - - } Reg.2,1877,s.118.
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LEGAL PRACTITIONER—*cont.*

1. Assam, Bengal, Central Provinces, N.-W. Provinces, Oudh, Punjab, etc.—*cont.*

Pleaders, Mukhtars and Revenue Agents—*cont.*:

Power to make rules declaring functions, etc., of Mukhtars or Revenue Agents — Act 18, 1879, ss. 11, 16, 17.

Punishment of, for touting or other misconduct — „ ss. 6, 12 to 17, 21 to 24 (ss. 13, 22, am. Act 11, 1896, ss. 2, 3; s. 14 am. Act 9, 1884, s. 4), 32 to 35, 39, 40.

Power to frame and publish list of touts — „ s. 36 (am. Act 11, 1896, s. 4).

Certificates of; stamping of — „ s. 25 (am. Act 9, 1884, s. 5), Sch. II.

„ surrender of, on suspension or dismissal of holder — „ s. 26.

Regulation of remuneration of — „ ss. 27 (am. Act 9, 1884, s. 6), 28 to 31.

Act 18, 1879, not to apply to High Court practitioners, except as specially provided — „ s. 38 (am. Act 9, 1884, s. 7).

Mukhtar or Vakil not to be heard before Special Commissioner under Chota Nagpur Tenures Act, 1869, unless with consent of such Commissioner — Ben. Act 2, 1869, s. 21.

2. Ajmere.

No person to be admitted or enrolled as a pleader or mukhtar in Ajmere under Act 18, 1879 — Reg. 1, 1877, s. 27.

3. British Baluchistan.

Power to make rules as to qualifications of and conditions to be imposed on legal practitioners in British Baluchistan — Reg. 9, 1896, s. 90 (*d*).

4. Bombay and Madras Presidencies.

Bom. Reg. 2, 1827, ss. 47 to 54 and 56, declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts — Act 15, 1874, s. 5.

Acts 1, 1846, and 20, 1853, declared in force throughout the Presidencies of Bombay and Madras, except as regards the Scheduled Districts — „ ss. 4, 5.

Advocates:

Right of barristers to plead in Sadr Courts and subordinate Courts, subject to rules of those Courts — Bo., M.) Act 1, 1846, s. 5. (Bo., M.) Act 20, 1853, s. 4.

Attorneys:

Right of enrolled attorneys to plead in Sadr Courts and subordinate Courts, subject to rules of those Courts — (Bo., M.) Act 20, 1853, ss. 3, 4.

Pleaders:

Office of pleader open to all, but certificate required — (Bo., M.) Act 1, 1846, s. 4.

LEGAL PRACTITIONER—*cont.*

4. Bombay and Madras Presidencies—*cont.*

Pleaders—*cont.*:

To hold document authorising them to act; no limitation on number of pleaders — (Bo.)Bom.Reg.2,1827,s.47(*1*),(*2*),(*4*),48(*1*),(*3*),50(*1*),Schs.J,K.

In what Courts they may practise — „ „ s.49.

Remuneration of — „ „ ss.50(*2*),52(*1*) to(*4*)(pt.rep. Act1,1846, s.6),53(*2*), App.L. (Bo.,M.)Act1,1846,ss.7 (am.Act12,1891), 8,9.

Punishment of — (Bo.)Bom.Reg.2,1827, ss.50(*3*),51(*2*) [am.and pt. rep.Act16, 1895],50(*4*),54 (*1*),56(pt.rep. Act16,1895). (Bo.,M.)Act1,1846,ss.10, 12.

To give written receipts for documents received from clients — (Bo.)Bom.Reg.2,1827,s.51(*2*)[am.and pt.rep.Act16, 1895].

Withdrawal of, from case — „ „ s.53(*3*).

To report when they are unable to attend Court — „ „ s.54(*1*).

Not bound to attend Court except at hearing of cause in which employed — (Bo.,M.)Act20,1853,s.2.

Application to pleaders in Munsifs' Courts of rules as to pleaders in District Courts — (Bo.,M.)Act1,1846,s.11.

Act 1, 1846, not to apply to vakils in Courts under Mad. Regs. 5 or 12 of 1816 or Mad. Act 1, 1889 — Act1,1846,s.13(pt.rep.Act 12,1891,and see Mad.Act1,1889,s.2).

Acts 1, 1846, and 20, 1853, repealed—

in places to which Act 20, 1865, was extended — Act20,1865,s.3.

in provinces in which Act 18, 1879, is in force — Act18,1879,s.42(ad.Act9, 1884,s.9).

Legal practitioners not to appear before Village Munsif or Conciliator under Dekkhan Agriculturists Relief Act — Act17,1879,s.68(am.Act 23,1881,s.5 ;pt.rep. Act22,1882, s.17).

Sindh:

Power to make rules as to qualifications and admission of pleaders in — Bom.Act12,1866,s.16.

Punishment of pleaders in — Bom.Act12,1866,s.16.

Remuneration of pleaders in — „ s.17.

LEGAL PRACTITIONER—*cont.*

5. Lower Burma.

Licensing of advocates by Recorder of Rangoon - - - - Act11,1889,ss.73,74,76.
„ „ by Judicial Commissioner - - - „ ss.75,76.
Who may appear, etc., as advocates in Special Court - - - „ ss.73to77.
Penalty for acting as advocate without authority - - - „ s.78.
„ „ receiving or giving commission - - - - „ s.81.
Fees of advocates - - - - - - - - „ ss.79,80.

6. Upper Burma (except the Shan States).

Advocates to be licensed by Judicial Commissioner - - - Reg.1,1896,ss.25,26,38.
Control, taxation and regulation of advocates' fees - - - „ ss.27,28,38.
Penalty for receiving or giving commission - - - - „ s.29.

LEGISLATIVE POWERS. *See* EUROPEAN BRITISH SUBJECT; GOVERNMENT OF INDIA, 2.

LEGISLATURE; definitions of. *See* WORDS AND PHRASES.

LEPERS ACT, 1895 - - - - - - - - Ben.Act5,1895.

LEPER.

Definition of "leper" and "pauper leper" - - - - Ben.Act5,1895,section2.
Appointment and status of Inspector of Lepers - - - „ s.5.
Power to arrest suspected leper - - - - - „ s.7.
Certificate to be given to arrested person by Inspector of Lepers; arrested person to be discharged or taken before Magistrate - „ s.8,Sch., FormsA,B.
Asylum; power of Local Government to appoint, and to define areas from which lepers may be sent to - - „ s.3.
„ power of Local Authority to establish and maintain, or contribute to establishment and maintenance of - „ s.4.
„ appointment of Superintendent and establishment - „ s.5.
„ „ Board - - - - - - „ s.6.
„ sending of pauper leper to - - - - - „ s.9,Sch., FormsB,C.
„ inspection of, by Board - - - - - „ s.10.
„ power of Board to discharge pauper leper from - - „ s.11,Sch., FormD.
Power of Municipal Commissioners to make bye-laws prohibiting suspected lepers from carrying on specified calling without certificate of freedom from leprosy; penalty for breach of bye-law - - - - - - - - - „ s.12,Sch., FormA.
Power of Inspector of Lepers to examine suspected lepers otherwise than after arrest - - - - - - - - „ s.13.
Appeal from order of Inspector declaring person to be a leper or refusing him a certificate of freedom from leprosy - - „ s.14.
Power of Local Government to make rules for working of Act - „ s.15.

LETTERS PATENT. *See* PATENT.

LICENSE.

Act 5, 1882, extends *proprio vigore* to Central Provinces, Coorg and Madras Presidency - - - - Act5,1882,s.1.
„ „ extended to Bombay Presidency, North-Western Provinces and Oudh - - - - - Act8,1891.
„ „ not to affect certain rights - - - - Act5,1882,s.2.
Definition of. (*See also* WORDS AND PHRASES) - - - „ s.52.

LICENSE—*cont.*
Grant of - - - - - - - - - Act5,1882,ss.53,54, 57,58.
"Accessory license" defined - - - - - „ s.55.
When transferable - - - - - - - - „ s.56.
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Rights of licensee on eviction - - - - - „ s.64.
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LICENSED WAREHOUSE AND FIRE BRIGADE ACT, 1893. (*See* FIRE) - Ben.Act1,1893.

LIEN.
Of agent, on principal's property - - - - - Act9,1872,s.221.
Of bailee - - - - - - - - - „ s.170.
Of banker, factor, wharfinger, attorney, policy-broker - - „ s.171.
Of person making advance for cultivation of indigo. *See* INDIGO.
Of Railway-administration - - - - - - - Act9,1890,s.55.
Of seller of goods - - - - - - - - Act9,1872,ss.95to98.
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In case of Dekkhan Agriculturist, must be in writing - Act17,1879,s.70.

LIEUTENANT GOVERNOR. *See* GOVERNMENT OF INDIA, 2 (*c*).

LIFE.
Offences affecting. *See* CRIMINAL LAW (INDIAN), 14 (*a*).
Appliances for saving. *See* MERCHANT SHIPPING, 7 (*a*).

LIGHTHOUSE. *See* MERCHANT SHIPPING, 10.

LIGHTING.
Regulation of, in municipality:
As., Ben. *See* MUNICIPALITY, V, 6 (*i*).

LIGHTS. *See* MERCHANT SHIPPING, 7 (*a*).

LIMITATION ACT (INDIAN), 1877 - - - - - Act15,1877.

LIMITATION OF TIME.

1. Preliminary.

Act 15, 1877, extends to whole of British India - - - Act15,1877,s.1.
„ „ declared in force in—
the Santhál Parganas - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
the District of Havara - - - - Reg.2,1874,s.3.
Upper Burma generally (except the Shan States) - Act20,1886,s.6.
British Baluchistan - - - - Reg.1,1890,s.3.
the Sub-division of Angul - - - Reg.1,1894,s.3.
„ „ ss. 2 to 25, not to apply to suits under Act 4, 1869 (Divorce) - - - - - - Act15,1877,s.1.
„ „ not to affect Act 9, 1872 (Contract), s. 25 - - „ s.2.
Act 12, 1879, s. 108, declared in force in the Santhál Parganas - Reg.3,1872,s.3(am.Reg.3, 1886).

2. Suits, Appeals and Applications.

General list of; time prescribed for institution of suits, presentation of appeals and making of applications - - - - Act15,1877,sec.4,Sch.II (am.generally in British Baluchistan,

LIMITATION OF TIME—*cont.*

2. Suits, Appeals and Applications—*cont.*

General list of; time prescribed for institution of suits, presentation of appeals and making of applications—(*cont.*)		Reg.9,1896,s.95;Art.43am. Act5,1881,s.156;Arts.151,162am. Act17,1877,s.18;Art.160A ins.andArt.173am.Act9,1887,s.36;Arts.166,179,am.Act12,1879,s.108;Art.171am. andArts.173A,175A,175B,175C,ins. Act7,1888,s.66).
To be dismissed if not instituted, presented or made within prescribed time		Act 15, 1877, section 4.
Suits when deemed to be instituted		
Continuous running of time	„	s.9.
Time not to run—		
while Court closed	„	s.5.
during minority or insanity	„	s.7.
When time does not run against joint creditor or claimant	„	s.8.
Power to admit appeal or application for review after expiration of time	„	ss.5,5A(ad.Act6,1892,s.1).
Suit against express trustee not barred by any length of time	„	s.10.
Exclusion of foreign laws of limitation	„	s.11.
Saving of local laws	„	s.6.
Computation of time:		
Exclusion of time in certain cases	„	ss.12to16.
Effect of death before right to sue accrues	„	s.17.
„ fraud	„	s.18.
„ acknowledgment in writing	„	ss.19,21.
„ payment of interest, or part payment of principal, or receipt of produce of mortgaged land	„	ss.20,21.
„ substituting or adding new plaintiff or defendant	„	s.22.
In case of continuing breaches or wrongs	„	s.23.
„ suit for compensation for act not actionable without special damage	„	s.24.
Application of Gregorian calendar	„	s.25.

LIQUOR.

Definitions of. *See* WORDS AND PHRASES.

Duty on imports of, by sea, and imports by land from foreign territory — Act8,1894,ss.3,5,Sch.3 (am.Act3,1896).

See also CUSTOMS (SEA); EXCISE,

LITERARY SOCIETY. *See* SOCIETY, 1.

LITTLE COCOS ISLAND AND PREPARIS ISLAND.
Laws in force in Hanthawaddy District to apply to - - - Act8,1883,s.2.
No longer subject to the Andamans Regulation, 1876, and no longer a Scheduled District - - - - - - - „ s.4.

LOAD-LINES. *See* MERCHANT SHIPPING, 7 (*a*).

LOAN.

A.—ENGLISH LAW.

None to Crown, except with consent of Parliament - - - 3C.1,c.1. 1W.&M.sess.2,c.2. [1]
For Basses Rocks and Minicoy Lighthouses - - - 35-6V.c.55. 44-5V.c.38,s.10.

See also FINANCE; GOVERNMENT OF INDIA, 1.

B.—INDIAN LAW.

1. Preliminary.

Act 11, 1879, extends to whole of British India - - - Act11,1879,s.1.
„ „ „ declared in force in the Santhál Parganas - - Reg.3,1872,s.3(am.Reg.3, 1886).
Act 19, 1883, extends to whole of British India, but does not come into force till notified - - - - - Act19,1883,s.1.
„ „ declared in force in—
the Santhál Parganas - - - - Reg.3,1872,s.3(am.Reg.3 1886).
Upper Burma generally (except the Shan States) - Act20,1886,s.6.
Act 12, 1884, extends *proprio vigore* to certain provinces and may be extended to others by notification - - - - Act12,1884,s.2.
Act 15, 1885 (amending Act 11, 1879), declared in force in the Santhál Parganas - - - - - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
Act 12, 1897, extends to whole of British India - - - Act12,1897,s.1.

2. To Local Authorities.

(*a*) *In ordinary cases.*

Definitions - - - - - - - - - Act11,1879,section3.
Power of Local Authority to apply to Government for loan, on security of its funds, for carrying out works which it is legally authorised to undertake - - - - - - - „ s.4.
Power of Governor General in Council to make rules as to such loans „ s.5.
Power to attach such funds if loan, interest or costs not paid - „ s.6.
Power to authorise Local Authority to borrow from private person on security of its funds; application of ss. 5 and 6 of Act - „ s.7.
Application of Act to loans existing before 5th September, 1871 - „ s.9.
Local Authorities not to borrow otherwise than under Act; exceptions - - - - - - - - - „ s.8(am.Act 15,1885).
In Madras Presidency. *See* LOCAL AUTHORITY.
Act 11, 1879, not affected by—
Local Self-government Acts:
N.-W. P. & Oudh - - - - - - Act14,1883,s.52.
Punjab - - - - - - - - Act20,1883,s.63.
Municipal Acts:
Aj., L. B., C. P. *See* MUNICIPALITY, II, 6 (*t*).
N.-W. P. & Oudh. „ „ X, 7.

[1] These Acts are indexed because they are published in the Collection of Statutes relating to India.

LOAN—*cont.*

B.—INDIAN LAW—*cont.*

2. To Local Authorities—*cont.*

(*a*) *In ordinary cases—cont.*

Borrowing powers of Municipal Commissioners :
Cal. *See* MUNICIPALITY, VI, 4.
Bom. City. „ „ VIII, 4.
Mad. „ „ „ XIII, 4.
Borrowing powers of—
Bombay Port Trustees. *See* PORT COMMISSIONERS, III. 4.
Calcutta Port Commissioners. „ „ „ IV, 4.
Chittagong „ „ „ „ „ V, 4.
Madras Harbour Trustees. „ „ „ VII, 4.

(*b*) *In emergent cases.*

Power of Local Authority, with previous sanction of Governor General in Council, to borrow, on security of its funds, for famine-relief or prevention of outbreak or spread of dangerous epidemic disease - - - - - - - Act 12, 1897, s. 2.
Power of Governor General in Council to impose conditions on such loans - - - - - - - - - „ s. 3.
Application of Act 11, 1879, ss. 6, 7, to such loans - - „ s. 4.
Application of Act 12, 1897, to loans made before commencement of Act - - - - - - - - - „ s. 5.

3. To Agriculturists.

(*a*) *For agricultural improvements.*

Definition of "Collector" - - - - - - - Act 19, 1883, s. 3.
Purposes for which, and persons to whom, loan may be granted by public officer - - - - - - - - „ s. 4.
Applications for loans how dealt with - - - - „ s. 5.
Order granting loan conclusive evidence on certain points - - „ s. 8.
Liability of joint borrowers as between themselves - - - „ s. 9.
Repayment and recovery of loans - - - - - „ ss. 6, 7.
Power of Government to make rules as to loans - - - „ s. 10.
Exemption from land-revenue of improvements made with aid of loan granted under Act - - - - - - - „ s. 11.
Registration of orders granting loans under Act 19, 1883 - - Act 3, 1877, s. 89 (am. Act 12, 1879, s. 107; Act 19, 1883, ss. 2, 12).

(*b*) *For other agricultural purposes.*

Power of Government to make rules as to loans to owners and occupiers of arable land for relief of distress, purchase of seed or cattle or other agricultural purposes not specified in Act 19, 1883 - - - - - - - - - Act 12, 1884, s. 4.
Recovery of such loans - - - - - - - „ s. 5.
Liability of joint borrowers as between themselves - - - „ s. 6.
Registration of orders granting loans under Act 12, 1884 - - Act 3, 1877, s. 89 (am. Act 7, 1886, s. 3).

LOAN—*cont.*

B.—INDIAN LAW—*cont.*

3. To Agriculturists—*cont.*

(*c*) *Special provisions for Madras Presidency.*

Board of Revenue to recommend to Local Government loans for takkavi, repairs or improvements - - - - - Mad.Reg.1,1803,s.51.

Collector not to make loans for cultivation, repairs of tanks, etc., without sanction of Local Government - - - - Mad.Reg.2,1803,s.59.

4. Miscellaneous.

Borrowing powers of Railway Companies. *See* RAILWAY, **10.**

Loans to or by member of Indian Civil Service; prohibition of. *See* GOVERNMENT OF INDIA, 2 (*d*).

Loan for drainage-scheme. *See* DRAINAGE, I, B, 3.

LOCAL AUTHORITIES LOAN ACT, 1879. [*See* LOAN, 2 (*a*)] - - Act11,1879.

„ „ „ „ 1888. (*See* LOCAL AUTHORITY) - Mad.Act1,1888.

„ „ (EMERGENCY) LOANS ACT, 1897. [*See* LOAN, 2 (*b*)] Act12,1897.

LOCAL AUTHORITY.

Defined. *See* WORDS AND PHRASES.

Acquisition of land for. *See* LAND (INDIAN LAW), A (2) (*b*), (*c*).

Powers, etc., of, as to construction of tramway. *See* TRAMWAY; TRAMWAYS.

Further powers of. *See* LEPER.

Placing and maintaining telegraph lines and posts on property of - Act13,1885,ss.12to15.

To furnish annual returns to facilitate recovery of income-tax - Act2,1886,s.10.

Payment by, of cost of bridges at railway level-crossing - - Act9,1890,s.14.

Control over taxation of railway by - - - - - „ s.135.

Prohibition of receipt by, as money, of metal which is not coin - Act1,1889,s.8.

See also PROVIDENT FUND.

Mad. Act 1, 1888, extends to whole of Madras Presidency - - Mad.Act1,1888,s.1.

Definitions - - - - - - - - - „ s.2.

Power of Government to authorise Local Authority to charge its funds for payment of interest on, or for repayment of, moneys expended on work to which such funds might lawfully be applied - - - - - - - - - „ s.3.

Power of Local Government to make rules as to such charging - „ s.5.

Power to attach such funds if engagements not fulfilled - - „ s.4.

Loans to. *See* LOAN, B, 2.

Particular Local Authorities. *See* CANTONMENT; DRAINAGE, I, B, C; LOCAL SELF-GOVERNMENT; MUNICIPALITY; PORT COMMISSIONERS OR TRUSTEES.

LOCAL BOARDS ACT (BOMBAY), 1884. } (*See* LOCAL SELF-GOVERNMENT) - Bom.Act1,1884.

„ „ „ (MADRAS), 1884. } (*See* LOCAL SELF-GOVERNMENT) - Mad.Act5,1884.

„ „ „ (N.-W. P. & O), 1883. } (*See* LOCAL SELF-GOVERNMENT) - Act14,1883.

LOCAL FUNDS ACT (BOMBAY), 1869. } (*See* LOCAL RATES) - Bom.Act3,186.

„ „ „ (SINDH), 1865.[1] } (*See* LOCAL RATES) - Bom.Act8,1865.

LOCAL GOVERNMENT; definitions of. *See* WORDS AND PHRASES.

LOCAL RATES ACT (N.-W. PROVINCES), 1878 - - - - Act3,1878.

[1] This short title was given by Bom. Act 1, 1884, s. 2.

Local Rates Act (Oudh), 1894 - - - - -	N.&O.Act5,1894
„ „ Regulation (Assam), 1879 - - - -	Reg.3,1879

Local Rates and Cesses.

Ajmere.

A.—Assam (Local Rate).

B.—Bengal (Road Cess and Public Works Cess).

C.—Bombay Presidency.

Coorg.

D.—Lower Burma (Cesses and House-tax).

E.—Central Provinces (Local Rate).

Madras Presidency (Village Cesses).

F.—N.-W. Provinces (Local Rate).

G.—Oudh (Local Rates).

H.—Punjab (Local Rate).

Ajmere.

See Local Self-government, II, 5.

A.—Assam (Local Rate).

Definitions - - - - - - - - -	Reg.3,1879,section2.
All land liable to rate in addition to land-revenue and local cesses; maximum amount imposable - - - - -	„ s.3.
Cessation or diminution of cess when rate imposed - - -	„ s.4.
Power to make rules and orders as to assessment and collection of rate and exempting land from rate - - - - -	„ s.6.
Landholders to furnish information; in default, enquiry and surveys may be made - - - - - - - -	„ s.7.
Costs of assessment recoverable from landholders in certain cases -	„ s.10.
Appeal from assessment - - - - - - -	„ ss.8,9.
Recovery of rate - - - - - - - -	„ s.5(pt.rep. „ Act5,1897).
Power of landholder under certain circumstances to recover share of rate from tenant - - - - - - - -	„ s.17.
Proceeds of rate to be carried to credit of a general Provincial Fund -	„ s.11.
Application of rate for famine relief, works of general provincial utility and local improvements - - - - - -	„ ss.12,13.
District and Branch Committees for application of funds allotted under s. 12 - - - - - - -	„ ss.14,15.
Accounts - - - - - - - -	„ s.16.
Suits by what Courts cognizable - - - - -	„ s.18.

B.—Bengal (Road Cess and Public Works Cess).

1. Preliminary.

Ben. Act 9, 1880, extends to certain districts in Bengal and may be extended to others by notification - -	Ben. Act 9, 1880,section2.
„ „ „ not to affect immoveable property in Calcutta or in provincial municipalities - - -	
„ „ „ power to exempt district, estate or tenure from operation of - - - - -	
Definitions - - - - - - - - -	„ s.4(am.locally, Ben.Act3,1885, s.2,Sch.II).

2. Imposition and application of Cesses.

All immoveable property liable to Road cess and Public Works cess -	„ s.5.

LOCAL RATES AND CESSES—*cont.*

B.—BENGAL (ROAD CESS AND PUBLIC WORKS CESS)—*cont.*

2. Imposition and application of Cesses—*cont.*

Previous sanction of Governor General in Council required to levy of cesses on railways or tramways belonging to or guaranteed by Government — Ben.Act9,1880, section 8.

Application of proceeds of road cess. [*See also below*, 4 (1)] — „ s.9(am.Ben.Act2, 1881,s.1;pt. rep.locally, Ben.Act3, 1885,s.2, Sch.II).

„ „ „ public works cess — „ s.10(am.Ben.Act 2,1881,s.2).

3. Assessment, Payment and Recovery of Cesses.

Rate of cess how to be fixed; maximum allowed — „ ss.6,38,40,148,153 [s.38am.locally, and ss.40(in.pt.), 148,153rep. locally,Ben.Act 3,1885,s.2 Sch.II].

District Board to fix rate of road cess annually — Ben.Act3,1885,s.46.

Announcement of rate when fixed — Ben.Act9,1880,ss.40,154 to156[s.40pt. rep.,ss 154to156rep. locally,Ben. Act3,1885,s.2, Sch.II].

Limitation on amount of cess payable by Local Government — „ s. 7

Cess how to be assessed — „ s.6.

Power to fix and alter cess year — „ s.11.

Valuation and re-valuation of lands for purposes of assessment:

General provisions — „ ss.12to32,92,94, 95,Schs.A,B(s.13 and Sch.A am.Ben.Act2,1881, ss.3,11).

Special provisions as to lands used for cultivation of tea, coffee or cinchona — „ s.33,Sch.C(am. Ben.Act2. 1881,s.12).

Preparation and publication of valuation-rolls — „ ss.34,35.

Duration of valuations and re-valuations — „ s.36.

Power to reduce valuations and to value estates and tenures not previously valued — „ s.37

Distribution of valuation in case of partition — „ s.43(am.Ben. Act2,1881, s.6).

Time and mode of payment of cess — „ss.41,42(am.Ben.Act 2,1881,s.5).

LOCAL RATES AND CESSES—*cont.*

B.—BENGAL (ROAD CESS AND PUBLIC WORKS CESS)—*cont.*

3. Assessment, Payment and Recovery of Cesses—*cont.*

Recovery of cess from tenures in Government estates		Ben. Act 9, 1880, s. 40A (ins. Ben. Act 2, 1881, s. 4).
Arrears of cess when recoverable; interest allowed		„ ss. 45 (am. Ben. Act 2, 1881, s. 8), 47 to 49.
Recovery of dues under Public Demands Recovery Act or out of rent		„ s. 98 (am. locally, Ben. Act 3, 1885, s. 2, Sch. II), s. 99, Sch. F.
Effect on liability to cess of the opening of a separate account under Act 11, 1859, or Ben. Act 7, 1876		„ s. 44 (am. Ben. Act 2, 1881, s. 7).
Power of Collector to keep separate accounts of cesses payable by registered holders of revenue-free lands		„ s. 46 (am. Ben. Act 2, 1881, s. 9).
Special previsions as to valuation, assessment, payment and recovery in case of—		
lands held rent-free		„ ss. 50 to 71 (ss. 64A. 64B ins. Act 7, 1881), Sch. A (am. Ben. Act 2, 1881, s. 11), Sch. D.
mines, quarries, tramways, railways and certain other immoveable property		„ ss. 72 to 84, Sch. E (ss. 82, 83 am. locally, Ben. Act 3, 1885, s. 2, Sch. II).
small revenue-free estates in Orissa and Midnapur		„ ss. 85 to 90.
Appeal against valuation, levy of fine, and certain other orders of Collector		„ ss. 102 to 104.
Revision of valuations by Commissioner and Board of Revenue		„ s. 93.
All proceedings of officers to be subject to supervision of Commissioner and Board of Revenue		„ s. 105.
Establishments		„ s. 91.
Service of notices and processes		„ ss. 96, 97.
Delegation of Collector's powers		„ ss. 100, 101.
Power of Board of Revenue to make rules		„ s. 106.
Rights in respect of immoveable property not affected except as expressly provided		„ s. 107.

4. District Road Fund, and Committees for Administration thereof.

(1) District Road Fund:

Constitution of		„ ss. 9, 10, 108 (ss. 9, 10, 108 am. Ben. Act 2, 1881, ss. 1, 2, 10; ss. 9, 108 pt. rep. locally, Ben. Act 3, 1885, s. 2, Sch. II).

LOCAL RATES AND CESSES—*cont.*

B.—BENGAL (ROAD CESS AND PUBLIC WORKS CESS)—*cont.*

4. District Road Fund, and Committees for Administration thereof—*cont.*

(1) District Road Fund—*cont.*:

To be lodged with Collector - - - - - Ben. Act 9, 1880, s. 170 (rep. locally, Ben. Act 3, 1885, s. 2, Sch. I).

Application of - - - - - - - - „ s. 109 (am. locally, Ben. Act 3, 1885, s. 2, Sch. II), ss. 110, 111 (rep. locally, Ben. Act 3, 1885, s. 2, Sch. I).

Assignment from, to Branch Committee - - - „ s. 164

Accounts of - - - - - - - - „ ss. 170 172 to 179

Payments from, how to be made - - - - „ s. 171

(2) District Road Committee:

Constitution of; term of office and removal of members - „ ss. 112 to 117, 161

Collector to be Chairman of - - - - - „ s. 118

Appointment, term of office and removal of Vice-Chairman of - „ ss. 129, 130

Appointment, term of office, salary and removal of District Engineer - - - - - - - - „ ss. 131, 132

Appointment and salaries of other officers and servants - - „ ss. 133, 135 to 137

Leave of absence, absentee allowances, pensions and gratuities for officers and servants - - - - - „ ss. 134, 135, 138

Transaction of business by - - - - - „ ss. 119 to 128

To furnish information to Commissioner and Local Government when required - - - - - - „ s. 128

Contract; execution of, for Committee - - - - „ s. 139

Penalty on member, officer or servant of Committee being pecuniarily interested in contract or work made with or executed for Committee - - - - - „ s. 140

To prepare statement of roads and other means of communication to be brought under Act; revision of statement by Local Government - - - - - - „ ss. 141 to 144

Preparation, revision and sanctioning of estimates of receipts and expenditure of - - - - - - - „ ss. 145 to 153, 157

To determine rate for levy of road-cess, subject to revision by Local Government - - - - - - „ ss. 148, 153

Publication of rate as finally fixed - - - - „ ss. 154 to 156

Not to begin execution of work till estimates passed, etc. - „ s. 147

Annual report to be submitted by - - - - „ s. 178

Power of, to make bye-laws as to roads and other communications - „ s. 180

See also below, (3).

(3) Branch Committee:

Power to appoint, in addition to Road Committee, and define local area of its authority - - - - - „ s. 158

Appointment and removal of Chairman and Vice-Chairman of - „ ss. 158, 160

(rep. locally, Ben. Act 3, 1885, s. 2, Sch. I).

LOCAL RATES AND CESSES—*cont.*

B.—BENGAL (ROAD CESS AND PUBLIC WORKS CESS)—*cont.*

4. District Road Fund, and Committees for Administration thereof—*cont.*

(3) Branch Committee—*cont.*:
Application of ss. 112 to 117, 119, 122 to 127, 139, 140 to - Ben.Act9,1880,s.159
Selection by, of member to be additional member of District Road Committee - - - - - - - „ s.161
Subordination of, to District Road Committee - - - „ s.162
Submission of statements, etc., by - - - - „ ss.162,163
Power to invest, with powers of District Road Committee; application of ss. 135, 139, 141 to 143, 146, 150 to 153, 157 to Branch Committee so invested - - - - „ ss.165to168
Power to revoke order constituting Branch Committee or vesting it with powers - - - - - - „ s.169
Annual report to be submitted by - - - - „ s.178
(rep.locally,Ben.Act3,1885,s.2, Sch.I).
(4) Transfer to District Board of roads, etc., held by District Road Committee or Branch Committee under Cess Act, 1880 - Ben.Act3,1885,s.73.

5. Miscellaneous.

Power of Local Government—
to give directions as to establishments and expenses in offices of control - - - - - - - - Ben.Act9,1880, s.181.
to make rules for working of Act - - - - „ s.182.
(rep.locally,Ben. Act3,1885,s.2, Sch.I).

C.—BOMBAY PRESIDENCY.

Cess and Shop or Office Tax:
Bom. Act 3, 1869, does not extend to Sindh or City of Bombay - Bom.Act3,1869,section15.
Power to levy cess on lands; maximum rate - - „ s.6.
Provisions as to assessment and levy of cess - - - „ ss.7,8(am.Bom. Act1,1884,s.75).
Recovery of cess by landholders from their tenants - - „ s.8(am.Bom. Act1,1884,s.75).
Net proceeds of cess to be credited to Local Fund constituted by Bombay Local Boards Act - - - - - Bom.Act1,1884,s.44(*b*).

Sindh:
Power to levy cess on lands, in same way as land-revenue - Bom.Act8,1865,secs.1,3.
Maximum rate of cess - - - - - - „ ss.1to3(s.2am. Bom.Act1, 1884,s.76).
Power to levy shop or office tax in same way as land-revenue; maximum rate - - - - - - - „ s.4.
Cess and tax by whom to be levied and collected - - „ s.5.
Net proceeds of cess and tax to be credited to Local Fund constituted by Bombay Local Boards Act - - Bom.Act1,1884,s.44(*a*).
Village-officers' cess. *See* VILLAGE, B, 1 (*e*).

COORG.

See LAND-REVENUE, XII, 3.

D.—LOWER BURMA (CESSES AND HOUSE-TAX).

Imposition of - - - - - - - - Act2,1880,ss.4to6,8.
Withdrawal of; exemptions from - - - - - „ ss.7,8.

LOCAL RATES AND CESSES—*cont.*

D.—LOWER BURMA (CESSES AND HOUSE-TAX)—*cont.*

Payment and recovery of - - - - - - Act2,1880,ss.10,11.
Application of - - - - - - - „ s.9(am.Act3, 1889,s.4).
Powers and duties of, and control over, Revenue-officers - - „ ss.22,23.
Power of Local Government to make rules as to - - - „ s.24.

E.—CENTRAL PROVINCES (LOCAL RATE).

Every estate liable to rate in addition to rates and cesses payable under settlement; maximum amount imposable - - - Act10,1878,s.2.
Definition of "annual value" - - - - - - -
Recovery of rate - - - - - - - - „ s.3.
Proceeds of rate to be carried to credit of Local Government - - „ s.4.
Application of rate for famine relief and local works of improvement „ s.5.
Power to make rules for working of Act - - - - „ s.6.
See also LOCAL SELF-GOVERNMENT, V, 5.

MADRAS PRESIDENCY (VILLAGE CESSES).

Village-officer's Cess.
Village-service Cess. } *See* VILLAGE, F, 1 (*a*).

F.—NORTH-WESTERN PROVINCES (LOCAL RATE).

Definitions - - - - - - - - - Act3,1878,ss.3,4(am.Act 8,1879,s.28).
Every estate liable to rate in addition to land-revenue and road cesses; certain estates liable to further rate; maximum amounts imposable; rates to be paid by landlord - - - - „ ss.4to6.
Local Government to make rules for ascertaining area of land assessable in certain cases - - - - - - - „ s.7.
Power of Local Government to make orders and rules as to assessment and collection of rates and exemptions from Act - - „ s.20.
Recovery of rates - - - - - - - - „ s.19.
Recovery by landlord from tenants, in certain cases, of whole or portion of rates paid by him - - - - - - „ ss.8,9.
Proceeds of rates to be carried to credit of a general Provincial Fund „ s.10.
Appropriation of proceeds of rates for famine-relief, canals, railways and works of local improvement - - - - - „ s.11(am.Act14, 1883,s.56).
Accounts - - - - - - - - - „ s.14(am.Act14, 1883,s.58).
Suits under Act cognizable by Collector - - - - „ s.16
Appeals - - - - - - - - - „ ss.16,17.
Delegation of Collector's powers - - - - - „ s.18.

G.—OUDH (LOCAL RATES).

Definitions - - - - - - - - - N.&O.Act5,1894,s.3.
Power to impose consolidated rate on every estate, to be paid by landholder in addition to land-revenue and Patwari's rate; maximum amount imposable; levy of settlement cesses to cease - „ s.4.
Power of Local Government to make rules as to assessment and collection of rate, exemptions from Act, etc. - - - „ s.17.
Recovery of rate - - - - - - - - „ s.5

LOCAL RATES AND CESSES—*cont.*

G.—OUDH (LOCAL RATES)—*cont.*

Power of landholder to recover contribution from co-sharers and others - - - - - - - - - N.&O.Act5,1894,ss.6,7.
Proceeds of rate to be credited to a general Provincial Fund - - „ s.10.
Application of proceeds for famine relief, canals, railways and local improvements - - - - - - - - „ s.11.
Accounts - - - - - - - - - „ s.12.
Suits under Act by what Courts cognizable ; appeals - - - „ ss.8,9.
Bar to jurisdiction of Civil Courts as to assessments - - - „ s.16.
Rate for maintenance of rural police. *See* OUDH, 5.

H.—PUNJAB (LOCAL RATE).

See LOCAL SELF-GOVERNMENT, VIII, 5.

LOCAL SELF-GOVERNMENT ACT (BENGAL) OF 1885 - - - Ben. Act3,1885.
„ „ „ (CENTRAL PROVINCES), 1883 - - Act1,1883.

LOCAL SELF-GOVERNMENT.

1873. Bom. Act 6, ss. 21 (5), 23 (Municipalities, Bombay).
1878. Act 17, s. 7A (Ferries).
1879. Act 11, s. 8 (Local Authorities Loan).
1883. Act 1 (Local Self-government, Central Provinces).
„ Act 14 (Local Boards, North-Western Provinces and Oudh).
„ Act 15, s. 26 (Municipalities, North-Western Provinces and Oudh).
„ Act 20 (District Boards, Punjab).
1884. Ben. Act 3, ss. 37A, 66A (Municipalities, Bengal).
„ Bom. Act 1 (Local Boards, Bombay).
1884. Bom. Act 2, s. 31 (Municipalities, Bombay).
„ Mad. Act 5 (Local Boards, Madras).
1885. Ben. Act 1, s. 35 (Ferries).
„ Ben. Act 3 (Local Self-government, Bengal).
1886. Reg. 5, s. 26 (Municipalities, Ajmere).
„ Reg. 6 (Rural Boards, Ajmere).
1889. Act 18, s. 18 (Municipalities, Central Provinces).
„ Act 19, ss. 7, 8 (Village Sanitation, Central Provinces).
1890. Mad. Act 2, s. 11 (Canals and Ferries).
1891. Act 20, ss. 27, 183 (Municipalities, Punjab).

I.—GENERALLY - - - - .....
ASSAM - - - - - .....
II.—AJMERE - - - -
III.—BENGAL - - - -
IV.—BOMBAY PRESIDENCY - - -
V.—CENTRAL PROVINCES - - -
VI.—MADRAS PRESIDENCY - - -
VII.—NORTH-WESTERN PROVINCES AND OUDH - - - -
VIII.—PUNJAB - - - -

1. Preliminary.
2. Constitution of Administrative Areas and Local Authorities.
3. Duties and Powers of Local Authorities.
4. Conduct of Business.
5. Finance and Property.
6. General Powers of Official Control.
7. Miscellaneous.

I.—GENERALLY.

Local Authorities Loan Act, 1879, not to affect borrowing powers of any Local Authority, or its power to guarantee payment of interest } Act11,1879,s.8(am.Act15, 1885).
Constitution and functions of panchayat under laws relating to—
chaukidars. *See* POLICE, II, A, 2, 3 ; B, 2, 3.
rural police. *See* POLICE, III, A.
See also LOCAL AUTHORITY.

LOCAL SELF-GOVERNMENT—*cont.*

ASSAM.

Committees for application of local rates. *See* LOCAL RATES AND CESSES, A.

II.—AJMERE.

1. Preliminary.

Definition - - - - - - - - - Reg.6,1886,section2(*z*).

2. Constitution of Administrative Areas and Local Authorities.

Formation of district or districts and sub-districts - - - - ,, s.3.
Establishment of District Board or Boards and Local Boards - ,, s.4.
Constitution of Boards - - - - - - ,, ss.5,22(*a*).
Term of office of members of Boards; resignation and removal of members; filling of casual vacancies - - - - ,, ss.6to9,22(*b*).
Time for Boards coming into existence - - - - ,, s.11.
Chairmen and Vice-Chairmen - - - - - ,, s.22(*c*).
Relation of Local Boards to District Board - - - - ,, s.4.
Incorporation of District Board - - - - - ,, s.10.

3. Duties and Powers of Local Authorities.

Matters to be administered by Boards (roads and other means of communication, schools, hospitals, dispensaries, markets, rest-houses, sarais, water-supply, trees, famine-relief, pounds, encamping-grounds, shows, exhibitions, etc.) - - - - ,, ss.4,12.
District Board—
not to abolish any school, dispensary or other institution without reference to the Department concerned, and - - - - ,, s.13.
to observe approved principles of administration - - -
Power of Boards to make rules - - - - - ,, s.23.

4. Conduct of Business.

Officers and servants - - - - - - - ,, ss.14to16(am. Reg.9,1893), s.22(*c*).
Joint Committees - - - - - - - - Reg.5,1886,section26.
Power to make rules as to meetings, proceedings, etc. - - Reg.6,1886,ss.22(*c*),23.

5. Finance and Property.

District Fund; constitution, custody and application of - - ,, ss.17,22(*j*).
,, ,, estimates and accounts - - - - ,, s.22(*f*)to(*h*).
Taxation:
Local rate imposed; existing rate for maintenance of roads, schools and district post deemed to be the "local rate"; assessment, payment and recovery of local rate - - - ,, s.2.
Property; power to acquire, hold and transfer - - - ,, ss.10,22(*e*).
,, maintenance of - - - - - - ,, s.12(*i*).

6. General Powers of Official Control.

Powers of Commissioner and Chief Commissioner as to execution of work and suspension of action - - - - - ,, ss.18,19.

LOCAL SELF-GOVERNMENT—*cont.*

II.—AJMERE—*cont.*

6. General Powers of Official Control—*cont.*

Power of Chief Commissioner to supersede District Board for incompetency, default or abuse of powers; consequences of supersession - - - - - - Reg.6,1886,section20.

„ Chief Commissioner to frame forms and make rules - „ s.22.

7. Miscellaneous.

Liability of member of Board for loss, waste or misapplication of money or property - - - - - - - „ s.21.

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III.—BENGAL.

1. Preliminary.

Act does not extend to Calcutta, the district of Singbhum, the Santhál Parganas, the Chittagong Hill-tracts, or any municipality Ben.Act3,1885,section1.

Sanction required to application of Act to cantonment - - „ s.4.

Definitions - - - - - - - - - „ s.5.

2. Constitution of Administrative Areas and Local Authorities.

Establishment of District Boards and Local Boards - - - „ s.6,Sch.III.

Constitution of District Boards and Local Boards - - - „ ss.7to15,138(*a*),Sch.III.

Term of office of members of Boards; resignation and removal of members; filling of casual vacancies - - - - - „ *ss.16to20, 138(a)*.

Incorporation of District Board - - - - - „ s.20.

Time for Boards coming into existence - - - - „ s.21.

Chairman and Vice-Chairman of Board - - - - „ ss.22to29,32(*e*), 138(*c*).

Union Committee:

Provisions as to, not to apply anywhere unless expressly extended by notification - - - - - - „ s.37.

Constitution of Unions - - - - - - „ s.38.

„ „ Committees - - - - - „ ss.38to41, 138(*a*).

Term of office of members; filling of casual vacancies - - „ ss.42,43.

Joint Union Committees - - - - - - „ s.44.

Relation of Local Board to District Board - - - - „ ss.101to103, 130,134,135, 138(*b*).

„ Union Committee to Local Board - - - „ ss.103,104, 130,133, 134,138(*i*).

Committees for application of Road cess and Public Works cess. *See* LOCAL RATES AND CESSES, B, 4.

Drainage Commissioners; appointment and powers of. *See* DRAINAGE, I, B, C.

3. Duties and Powers of Local Authorities.

General duties and powers of District Boards:

All Boards, unless the Local Government otherwise directs (pounds, education, medical relief, public works) - - „ ss.59,61to86, 138(*j*)to(*m*).

LOCAL SELF-GOVERNMENT—*cont.*

III.—BENGAL—*cont.*

3. Duties and Powers of Local Authorities—*cont.*

General duties and powers of District Boards—*cont.*:
Boards notified by Local Government (sanitation, vaccination, taking of census, famine-relief, staging bungalows, sarais, destruction of noxious animals, fairs, exhibitions, etc.) - - Ben.Act3,1885,ss.60,87to100,138(*n*)to(*p*).
Transfer of public ferry to District Board - - - - Ben.Act1,1885,s.35.
Powers, etc., of District Board under Bengal Sanitary Drainage Act, 1895. *See* DRAINAGE, I, C.
General duties and powers of Local Boards - - - - Ben.Act3,1885,ss.101to107,110,117,130.
Authority for specially empowered Boards to make bye-laws; penalties and prosecutions for breach of such bye-laws - - - „ ss.139to141.
Duties and powers of Union Committees (village roads, bridges, pounds, primary schools, dispensaries, registration of births and deaths, sanitation, drainage, water-supply) - - - „ ss.104to119,138(*q*).
Power of Local Board or District Board to suspend action of, or execute work which ought to be done by, Union Committee or Local Board, respectively - - - - - - - „ ss.124,126,130.

4. Conduct of Business.

Joint Committees - - - - - - - Ben.Act3,1884,s.37A(ins. Ben.Act4,1894,s.23). Ben.Act3,1885,section30.
Meetings, transaction of business and record of proceedings - - „ ss.31,32,46,138(*b*),(*e*),(*f*),(*h*).
Officers and servants - - - - - - - „ ss.32(*g*),33to36,84,85,91to93,99,138(*g*),(*l*).

5. Finance and Property.

Power to transfer to Local Authority—
funds vested in other local bodies - - - - „ s.45.
„ for primary schools - - - - - „ s.65.
District Board to fix rate of road-cess annually - - - „ s.46.
District Fund; constitution and custody of - - - - „ s.52.
„ „ application of - - - - - „ s.53.
„ „ estimates and accounts of District Board - - „ ss.47to49,53,54,138(*h*),(*i*),(*r*).
„ „ „ „ of Local Board - - „ ss.51,138(*r*).
„ „ power of District Board to raise loans - - „ ss.50,53.
Union Fund; constitution and custody of - - - - „ s.56.
„ „ application of - - - - - - „ s.57.
„ „ accounts - - - - - - „ ss.58,105,138(*r*).
„ „ estimates - - - - - - „ s.105.
Finance Committee; appointment and duties of - - - „ ss.55,138(*a*),(*i*).
Property; general power of District Board to acquire, hold and transfer - - - - - - - - „ ss.20,138(*d*).

LOCAL SELF-GOVERNMENT—*cont.*

III.—BENGAL—*cont.*

5. Finance and Property—*cont.*

Property; transfer to District Board of roads, etc., held by District Road Committee or Branch Committee under Cess Act, 1880	Ben. Act 3, 1885,	section 73.
„ power of Local Government to place property under control and administration of District Board	„	s. 74.
„ works constructed by District Board to vest in it	„	s. 75.
„ power of District Board to acquire road, etc.	„	s. 76.
„ public streams, channels, etc., placed under control and administration of District Board	„	s. 89.
„ village-roads, drains, conservancy-works and certain sources of public water-supply placed under control and administration of Union Committee	„	ss. 108, 116, 119.

6. General Powers of Official Control.

Powers of Magistrate and Commissioner as to expenditure of Boards	„	ss. 47, 48.
Local Government, Commissioners and District Magistrates to see that proceedings of Local Authorities are in conformity with law	„	s. 120.
Powers of District Magistrate, Commissioner and Local Government as to supervision, suspension of action and execution of work	„	ss. 121, 122, 124 to 130.
Appointment, powers and duties of Inspector of local works	„	ss. 123, 138(*l*).
Power of Local Government to supersede Board for incompetency, default or abuse of powers; consequences of supersession	„	ss. 131, 132.
Power of Local Government to make rules	„	s. 138.
Settlement of disputes between Local Authorities	Ben. Act 3, 1884, s. 66A (ins. Ben. Act 4, 1894, s. 29). Ben. Act 3, 1885, ss. 136, 137.	

7. Miscellaneous.

Liability of member of District Board or Union Committee for loss, waste or misapplication of money or property	„	s. 142.
Penalty on member, officer or servant of Local Authority being unlawfully interested in work done for, or contract made with, that Authority	„	s. 144.
Power of Local Authority to pay compensation	„	s. 145.
Suit against member of Local Authority, etc.: notice of suit; limitation; tender of amends	„	s. 146.
Publication of rules and bye-laws	„	s. 143.

IV.—BOMBAY PRESIDENCY.

1. Preliminary.

Act does not apply to City of Bombay or to Aden	Bom. Act 1, 1884,	section 1.
Definitions	„	s. 3 (rep. in pt. Bom. Act 3, 1886).

LOCAL SELF-GOVERNMENT—*cont.*

IV.—BOMBAY PRESIDENCY—*cont.*

2. Constitution of Administrative Areas and Local Authorities.

Establishment of District Local Boards for each district and Taluqa Local Boards for each taluqa established under the Bombay Land-revenue Code, 1879, or for such other areas as the Local Government may determine — Bom.Act1,1884,ss.4to7,69(*a*).

Establishment of Local Boards for exceptional areas — „ s.8.

Election of members of Boards — „ ss.16to26, 69(*b*).

Qualifications and disqualifications of members of Boards — „ ss.10,11(am. Bom.Act4, 1885,s.1), ss.12,70.

Term of office of members; filling of casual vacancies — „ ss.13,14(am. Bom.Act1, 1888,s.1), s.15.

Presidents and Vice-Presidents of Local Boards — „ ss.27to29.

Incorporation of Local Boards — „ s.9.

Relation of Taluqa Local Boards to District Local Board — „ s.31.

Sanitary Committees and Boards, Bombay. *See* VILLAGE, B, 2.

3. Duties and Powers of Local Authorities.

Local Funds to be administered by Local Boards — „ s.4.

Obligatory duties of Local Boards (roads and other means of communication, medical relief, markets, dharmsalas, public buildings, water-supply, primary education, vaccination, sanitation, trees, etc.) — „ s.30.

Discretionary powers of Local Boards (model farms, horticulture, breeding of horses and cattle, preservation of fish, famine-relief, education, etc.) — „ s.31.

4. Conduct of Business.

Meetings, transaction of business and record of proceedings — „ ss.32(*a*), 33,34.

Execution of contracts — „ s.35.

Officers and servants — „ ss.38to40, 63,69(*c*).

Joint Committees — Bom.Act1,1884,s.36. Bom.Act2,1884,s.31.

Power to prescribe conditions as to — Bom.Act1,1884,s.69(*c*).

Vacancies and irregularities not to invalidate proceedings — „ s.32(*b*),(*c*).

5. Finance and Property.

Local Fund; constitution and custody of — „ s.44(rep.in pt, Act16,1895).

„ „ portions of, which may be expended by Taluqa Local Board and District Local Board, respectively — „ s.45.

„ „ charges to be defrayed by District Board from — „ s.46.

„ „ assignments from, by District Local Board to municipalities and cantonments — „ s.47.

LOCAL SELF-GOVERNMENT—*cont.*

IV.—BOMBAY PRESIDENCY—*cont.*

5. Finance and Property—*cont.*

Local Fund; expenditure for educational purposes to be met by District Local Board only; provisions for determining by which Boards' expenditure should be incurred for other purposes — Bom. Act 1, 1884, ss. 48, 49.

„ „ authority for payments from — „ s. 50 (am. Bom. Act 4, 1888, s. 3).

„ „ accounts — „ ss. 51, 52, 60.

„ „ estimates — „ ss. 53 to 56, 57 (rep. in pt. Bom. Act 4, 1885, s. 4) to 59.

Assignment to Board of portion of tax imposed on pilgrims resorting to shrine in municipal district — Bom. Act 6, 1873, s. 21, cl. 5. (ad. Bom. Act 2, 1884, s. 49).

Contribution by Municipal Commissioners towards expenditure incurred in area subject to Local Board — Bom. Act 6, 1873, s. 23 (am. Bom. Act 2, 1884, s. 49).

Property; power of Local Board to acquire, hold and transfer — Bom. Act 1, 1884, section 9.

„ transfer to Local Boards of property vested in superseded Local Fund Committees — „ s. 41.

„ vesting in Local Board of roads, etc., constructed by it — „ s. 42 (rep. in pt. Bom. Act 4, 1885, s. 2.

„ acquisition of land for Local Board — „ s. 72.

6. General Powers of Official Control.

Powers of Commissioner, Collector, other local officers and Local Government as to supervision, expenditure on establishments, suspension of action and execution of work — „ ss. 62 to 66.

Power of Local Government to supersede Board for incompetency, default or abuse of powers; consequences of supersession — „ s. 67.

„ „ „ to frame forms and make rules — „ s. 69.

General powers of Local Government, Commissioners and Collectors over subordinate officers — „ s. 68.

7. Miscellaneous.

Assignment to District Local Board or Taluqa Local Board of liabilities existing at commencement of Act — „ s. 43.

Works by whom to be executed; powers of Government Executive Engineer in executing works, and charges for Government establishments employed by him — „ s. 61.

Liability of member of Board for misapplication of funds — „ s. 37.

Penalty on member, officer or servant of Board being unlawfully interested in work done for, or contract made with, Board — „ s. 70.

Members of Local Boards and officers and servants of District Local Boards deemed "public servants" — „ s. 71.

Suit against Board, etc.: notice of; limitation; tender of amends — „ s. 74.

Certain functions of Local Government to be exercised by Commissioner in Sindh — „ s. 73.

LOCAL SELF-GOVERNMENT—*cont.*

V.—CENTRAL PROVINCES.

1. Preliminary.

Definitions - - - - - - - - Act1,1883,ss.2,24(*g*).

2. Constitution of Administrative Areas and Local Authorities.

Aggregation of villages in circles and groups - - - - „ s.3.
District Councils and Local Boards established - - - - „ s.4.
Constitution of District Councils and Local Boards - - - - „ ss.5to7,34(*a*).
Time for District Councils and Local Boards coming into existence - - - - - - - - - „ s.40.
Incorporation of District Council - - - - - - „ s.3.
Chairman of District Board or Local Board - - - - - „ s.19.
Relation of Local Boards to District Council - - - - „ ss.10to14.
Power to declare Local Board independent - - - - - „ s.15.

3. Duties and Powers of Local Authorities.

Matters to be administered by District Council and Local Board (roads and other means of communication, schools, hospitals, dispensaries, markets, rest-houses, sarais, water-supply, trees, famine-relief, pounds, ferries, etc.) - - - - - - „ ss.9,10.
Suspension of authority of District Council and Local Board in villages under the operation of the Central Provinces Village Sanitation Act, 1889 - - - - - - - Act19,1889,s.8.

4. Conduct of Business.

School Committees - - - - - - - - Act1,1883,ss.16,20,34(*b*),(*c*).
Joint Committees - - - - - - - - Act1,1883,ss.17,18(2). Act18,1889,s.18.
Meetings and proceedings - - - - - - Act1,1883,ss.20,34(*c*).
Officers and servants - - - - - - - „ s.21.

5. Finance and Property.

District Fund; constitution, custody and application of - - „ ss.23,34(*f*).
„ „ transfer to District Council or Local Board of moneys held by punchayets under the Central Provinces Village Sanitation Act, 1889, on withdrawal of that Act - - - - - - - Act19,1889,s.7.
„ „ estimates and accounts - - - - Act1,1883,ss.24to27,34(*e*).
Taxation; rates payable under settlement record: confirmation, payment, collection and recovery of; accounts of; power to exempt land from payment of - - - - - - - „ s.41(am.Act16, 1889,s.41),s.42.
Property: power to vest in District Council - - - - „ s.22.
„ „ of District Council to acquire, hold and transfer - „ s.8.
„ acquisition of land for District Council - - - „ s.37.
Transfer of public ferry to District Council or Local Board - - (C.P.)Act17,1878,s.7A(ins. Act1,1883,s 43).

6. General Powers of Official Control.

Powers of Deputy Commissioner, Commissioner and Chief Commissioner as to supervision, suspension of action and execution of work Act1,1883,ss.28to31,33.

LOCAL SELF-GOVERNMENT—*cont.*

V.—CENTRAL PROVINCES—*cont.*

6. General Powers of Official Control—*cont.*

Power of Chief Commissioner to supersede District Council or Local Board for incompetency, default or abuse of powers - — Act 1, 1883, section 32.
„ Local Government to make rules - - - - — „ ss.34,35.

7. Miscellaneous.

Power to except territory from operation of Act - - - — „ s.36.
Penalty on member of District Council, etc., being interested in contract made with Council, etc. - - - - - — „ s.38.
Publication of rules and orders made by Chief Commissioner - — „ ss.35,39

VI.—MADRAS PRESIDENCY.

1. Preliminary.

Act does not apply to City of Madras, or to any municipality or scheduled district - - - - - - - — Mad.Act5,1884,section2.
Definitions - - - - - - - - - — „ s.3.

2. Constitution of Administrative Areas and Local Authorities.

Power to constitute taluqs - - - - - - - — „ s.5.
„ „ „ Unions - - - - - - - — „ s.6.
Constitution of District Boards and Taluq Boards - - - — „ ss.8to19,141(*i*).
„ „ Panchayat for Union - - - - — „ ss.119to122, 144(*i a*),(*iv*).
Time coming into existence of—
Taluq Board - - - - - - - — „ s.5.
Panchayat of Union - - - - - - — „ s.6.
President and Vice-President of Board - - - - — „ ss.8,9,14,15,20, 21,144(*i*).
Chairman of Panchayat - - - - - - — „ ss.123,144(*i b*).
Entire executive power vested in—
President of Board - - - - - - — „ s.33.
Chairman of Panchayat - - - - - - — „ ss.132,133.
Term of office, resignation, removal, filling of casual vacancies :
Member, President or Vice-President of Board - - - — „ ss.22to25.
Member or Chairman of Panchayat - - - - — „ ss.124to127.
Remuneration of President, Vice-President, Chairman or Member of Board or Panchayat - - - - - - — „ s.26.
Incorporation of Boards - - - - - - - — „ s.27.
Relation of Taluq Board to District Board - - - — „ s.144(*iii*).
„ Panchayat to Taluq Board - - - - — „ ss.128,144(*iii*).
Power to dissolve Taluq Board - - - - - — „ s.5.
„ „ Panchayat - - - - - — „ s.6.

3. Duties and Powers of Local Authorities.

Matters to be administered by Boards (streets, bridges and other *means of communication*, trees, hospitals, dispensaries, lunatic asylums, choultries, markets, drains, water-supply, medical relief, *vaccination, sanitation, education*, famine-relief, etc.) - - — „ ss.95,144(*iii*), (*iv*).
Responsibility of Boards for maintenance of institutions and property - - - - - - - — „ s.96.

LOCAL SELF-GOVERNMENT—*cont.*

VI.—MADRAS PRESIDENCY—*cont.*

3. Duties and Powers of Local Authorities—*cont.*

Power of Local Government to transfer institutions and works to Board — Mad.Act5,1884,section97.
District Board to provide for gratuitous vaccination — „ s.102.
Duties of President of District Board as to vaccination — „ s.112.
Duties and powers of Taluq Board to be exercised by District Board in areas for which there is no Taluq Board — „ s.167.
Matters to be administered by Panchayat (streets, drains, water-supply, etc.) — „ ss.141,144(*iii*), (*iv*).
Power of Taluq Board to transfer institutions and works to Panchayat — „ s.142.
Powers of Taluq Board and Panchayat as to projections and obstructions on streets, etc., water-supply, unwholesome building and lands, and scavenging — „ ss.98to101, 117,143.
Power of Taluq Board to set aside resolution, order or proceeding of Panchayat — „ s.135.
Power of Taluq Board to employ officers to superintend and inspect working of Unions; powers of such officers — „ s.136.
Power of President of Taluq Board to provide for execution of work which ought to be done by Panchayat — „ s.138.

4. Conduct of Business.

Meetings of Boards, transaction of business and record of proceedings — „ ss.28to32,34, 144.
Meetings of Panchayat, transaction of business and record of proceedings — „ ss.129to131,144 (*v*).
Servants of Board — „ ss.41,42,44to46, 95(*vii*),144(*vii*).
„ of Panchayat — „ s.134.

5. Finance and Property.

District Fund: constitution, custody and application of; authority for payments from — „ ss.54,149.
Taluq Fund: constitution, custody and application of; authority for payments from — „ s.56.
Transfer of moneys from District Fund to Taluq Fund — „ s.55.
Contribution by Board towards expenditure incurred by other Local Authorities — „ s.118.
Funds at disposal of Panchayat; custody thereof; orders for payments therefrom — „ s.140.
Accounts and estimates — „ ss.144(*x*)(*xi*), 148,150.

Taxation:
Taxes which may be imposed—
by District Board — „ ss.57,58, Schs.A,B.
by Taluq Board — „ ss.57,61.
Power for Local Government to direct imposition of taxes — „ s.59.
Procedure for imposing taxes — „ ss.60,62.
Taxes, assessments, distraints, etc., not invalid for defect of form — „ s.155.

LOCAL SELF-GOVERNMENT—*cont.*

VI.—MADRAS PRESIDENCY—*cont.*

5. Finance and Property—*cont.*

Taxation—*cont.*:
Tax on Annual Rental-value of Land:
Assessment, payment and recovery of; appeal — Mad.Act5,1884,ss.64to76 (am.Mad.Act3, 1890,ss.1to6).
Tax on Houses:
Assessment, payment and recovery of; appeal — „ ss.77to85, 94,Sch.C.
Remission of tax on unoccupied house — „ s.80.
Tolls on Vehicles and Animals passing along roads:
Levy, payment and recovery of; police-officers to assist toll-collectors; penalty for evading payment — „ ss.88to92,94.
Power to compound for tolls — „ s.87(2).
Fees for temporary erection of structures in public places, or for temporary use of cart-stands, etc., at fairs or festivals:
Payment and recovery of — „ ss.93,94.
Exemptions from taxes:
Power for Local Government to exempt areas or persons — „ s.63.
Houses used for public worship or as public choultries or as hospitals or dispensaries, and houses used exclusively for charitable purposes, exempted from house-tax — „ s.78(2).
Power of Taluq Board to exempt owner or occupier from house-tax on ground of poverty — „ s.86.
Troops, military and Government stores and equipages, military officers and police-officers and persons and property in their custody, and licensed vehicles and animals, exempted from payment of tolls — „ s.87(3).
Property: general power to Board to acquire, hold and transfer — „ s.27.
„ power to vest, in Board — „ s.48.
„ public streets, sewers, etc., vested in District Board — „ ss.49,50.
„ power to transfer management of charitable endowments from Board of Revenue to District Board or Taluq Board — „ s.51.
„ transfer of, from District Board to Taluq Board — „ ss.52,144(ii).
„ power of Board to acquire road or street — „ s.53.
„ acquisition of land for Board — „ s.153.
„ what property to be under control and direction of Panchayat — „ s.139.
Transfer of canal or public ferry to Local Board — Mad.Act2,1890,s.11.

6. General Powers of Official Control.

Powers of Collector, other officers and Local Government as to carrying out resolution of Board in default of President, and as to supervision over, suspension of action of, and execution of work which ought to be done by, Board — Mad.Act5,1884,ss 35to40.
Power of Revenue-officer, etc., to provide for execution of work which ought to be done by Panchayat — „ s.137.
Power of Local Government to frame forms and make *rules*; publication of rules; rules and forms to have force of law — „ ss.144to147.

LOCAL SELF-GOVERNMENT—*cont.*

VI.—MADRAS PRESIDENCY—*cont.*

6. General Powers of Official Control—*cont.*

Annual reports to be submitted by Boards and Panchayats	Mad. Act 5, 1884,	section 151.
Inspection of schools, hospitals, dispensaries, etc., by Government officers	"	s.152(*1*).
Power of Local Government to appoint officers to inspect and superintend operations of Boards and Panchayats	"	s.152(2).
Delegation of powers of Collector or Local Government	"	ss.159,160.

7. Miscellaneous.

Vaccination; provisions as to	"	*ss.102 to 116.*
Prohibition of inoculation of small-pox	"	*ss.3(xviii),116.*
Members and servants of Board or Panchayat, and tax collectors, deemed "public servants"	"	s.43.
Suits against Board, etc.: notice of suit; limitation; tender of amends	"	s.156.
Liability of member of Board or Panchayat for loss, waste or misapplication of money or property of Board or Panchayat	"	s.157.
Penalty on member or servant of Board or Panchayat being interested in contract made with Board	"	s.158.
Penalty for illegal exactions	"	s.165.
Publication of notifications	"	s.161.
Service of notices	"	s.163.
Precautions to be observed in entering zanana	"	s.164.
Prosecutions before whom to be instituted	"	s.166(*3*).
Recovery of fines	"	s.166(*1*),(*2*).
Vacancies and irregularities not to invalidate proceedings	"	ss.155,162.

VII.—NORTH-WESTERN PROVINCES AND OUDH.

1. Preliminary.

Definition	Act 14, 1883,	section 2.

2. Constitution of Administrative Areas and Local Authorities.

Formation of sub-districts	"	s.3.
Local Boards and District Boards established	"	s.4.
Constitution of Boards	"	ss.5,6, 47(*a*),(*b*).
Term of office of members of Boards; resignation and removal of members; filling of casual vacancies	"	ss.7 to 10.
Time for Boards coming into existence	"	s.12.
Incorporation of District Board	"	s.11.
Chairman of District Board or Local Board; Vice-Chairmen of District Board	"	ss.13 to 22.
Relation of Local Board to District Board	"	ss.25,26.

3. Duties and Powers of Local Authorities.

Matters to be administered by District Board and Local Board (roads and other means of communication, trees, schools, hospitals, dispensaries, markets, staging-houses, inspection-houses, water-supply, famine-relief, pounds, ferries, encamping-grounds, sarais, puraos, shows, exhibitions, etc.)	"	ss.24,25.

LOCAL SELF-GOVERNMENT—*cont.*

VII.—NORTH-WESTERN PROVINCES AND OUDH—*cont.*

4. Conduct of Business.

Meetings and proceedings - - - - - - - Act14,1883,ss.22,28 to33,47 (*c*)to(*e*).

Joint Committees - - - - - - - - Act14,1883,s.27. Act15,1883,s.26.

Officers and servants - - - - - - - Act14,1883,ss.34to37(am. Act12,1891), s.47(*m*).

5. Finance and Property.

District Fund; constitution, custody, investment and application of - - - - - - - " ss.38to40.

" " estimates and accounts - - - - " s.47(*f*), (*i*),(*j*).

Power of District Board to acquire, hold and transfer property - " s.11.

Acquisition of land for District Board - - - - " s.50.

Transfer of public ferry to District Board - - - - Act17,1878,s.7A(ins.Act 14,1883,s.64).

6. General Powers of Official Control.

Powers of District Magistrate, Commissioner and Local Government as to supervision, suspension of action and execution of work - Act14,1883,sections41to44.

Power of Local Government—

to supersede District Board for incompetency, default or abuse of powers - - - - - - - " s.45.

to frame forms and make rules - - - - - - " ss.47to49.

7. Miscellaneous.

Notification of elections, nominations, appointments and vacancies - " s.23.

Liability of member of Board for loss, waste or misapplication of money or property - - - - - - - " s.46.

Penalty on member of Board, etc., being interested in contract made with Board, etc. - - - - - - - " s.51.

Saving of Local Authorities Loan Act, 1879 - - - " s.52.

Power to except territory from operation of Act; appointment of administrative Committee thereupon - - - - " ss.53to55.

Transfer to District Board of contracts made and Government officers employed by Committees under Local Rates Acts - - - " ss.62,63.

VIII.—PUNJAB.

1. Preliminary.

Definitions - - - - - - - - - Act20,1883,section3.

Powers exerciseable from time to time - - - - - " s.4.

2. Constitution of Administrative Areas and Local Authorities.

Establishment of District Boards for districts and Local Boards for portions of districts - - - - - - " s.10.

Constitution of Boards - - - - - - - " ss.11,55(*2*).

VIII.—PUNJAB—*cont.*

2. Constitution of Administrative Areas and Local Authorities—*cont.*

Term of office of members; resignation and removal of members; filling of casual vacancies	Act	20, 1883, ss. 12 to 15.
Time for Boards coming into existence	„	s. 17.
Incorporation of District Board	„	s. 16.
Chairman and Vice-Chairman of District Board or Local Board	„	ss. 18, 19, 26(*h*), 55(*q*).
Relation of Local Board to District Board	„	ss. 21 to 23, 55(*t*).

3. Duties and Powers of Local Authorities.

Matters to be administered by, or which the Local Government may direct to be administered by, District Board and Local Board (roads and other means of communication, hospitals, dispensaries, sarais, education, water-supply, trees, markets, rest-houses, encamping-grounds, embankments, reclamation of land, famine-relief, registration of births, marriages and deaths, fairs, shows, exhibitions, pounds, ferries, etc.)	„	ss. 20, 21.
Power of Board to make regulations; penalty and prosecutions for infringement of such regulations	„	ss. 56 to 58.

4. Conduct of Business.

Joint Committees	Act	20, 1883, s. 24. Act 20, 1891, s. 27.
Meetings and proceedings; power to make rules as to business and affairs	Act	20, 1883, secs. 25, 26, 55 (*q*).
Officers and servants	„	ss. 26(*g*), 27 to 29 (am. Act 12, 1891), s. 55(*i*).

5. Finance and Property.

District Fund; constitution, custody and investment of	„	ss. 35, 36, 55(*b*).
„ „ funds to be provided by Local Government when duties imposed on District Board	„	s. 34.
„ „ application of	„	ss. 37, 55(*j*), (*k*).
„ „ payment from, in case of works or undertakings benefiting several districts	„	s. 38.
„ „ estimates and accounts	„	ss. 39 to 43, 55 (*l*) to (*o*), (*r*).
Taxation:		
Local rate:		
Imposition of; proportion of rate to annual value of land	„	s. 5.
Road, school and post cesses to merge in	„	s. 6.
Landholder liable for, subject to certain exceptions	„	s. 7.
Recovery of share of, by landholder from occupancy tenant	„	s. 8.
Appropriation of	„	s. 9.
Power of District Board to impose taxes approved by Local Government; procedure for imposing, and power to reduce or abolish, such taxes	„	ss. 30 to 32, 55(*a*).

LOCAL SELF-GOVERNMENT—*cont.*

VIII.—PUNJAB—*cont.*

5. Finance and Property—*cont.*

Taxation—*cont.*: Power of District Board or Local Board to levy fees, with sanction of Local Government		Act20,1883,section33.
Assessment, payment, collection and recovery of rates and taxes; appeals; limitation of appeal		„ ss.70to73.
Power of Local Government to reduce, remit or exempt persons or property from rate or tax		„ s.74.
Power of Local Government to direct measurements for assessment of rate or tax		„ s.75.
Suits as to rates or taxes by what Courts cognizable		„ s.76.
Confirmation and recovery of existing rates		„ s.77.
Property: power of District Board to acquire, hold and transfer		„ ss.16,55(*e*).
„ acquisition of land for District Board		„ s.61.
Transfer of public ferry to District or Local Board		Act17,1878,s.7A(ins.Act 20,1883,s.78).

6. General Powers of Official Control.

Powers of Commissioner, Deputy Commissioner, other local officers and Local Government as to supervision, suspension of action and execution of work		*Act20,1883,ss.44to49.*
Local Government, Commissioners and Deputy Commissioners to require that proceedings of Boards shall be in conformity with law		„ ss.50,55(*h*).
Pwer of Local Government to supersede Board for incompetency, default or abuse of powers; consequences of supersession		„ ss.51to53.
Power of Governor General in Council and Local Government to make rules		„ s.55.
Settlement of disputes between Boards or between Board and Municipal Committee or Cantonment Authority		„ s.54. Act20,1891,s.183.
General powers of Local Government over Commissioners and Deputy Commissioners and of Commissioners over Deputy Commissioners		Act20,1883,s.64.

7. Miscellaneous.

Publication of rules and regulations in draft		„ s.60.
Liability of member of Board for loss, waste or misapplication of money or property		„ s.59.
Penalty on member, officer or servant of Board or Joint Committee being interested in contract made with Board or Committee		„ s.62.
Saving of Local Authorities Loan Act, 1879		„ s.63.
Transfer to District Board of contracts made and Government officers employed by Committees under Local Rates Acts		„ ss.65,66.
Power to except territory from operation of Act; appointment of Administrative Committee thereupon		„ ss.67,68.
Power to withdraw Act 20, 1856 (Chaukidars) from area over which District Board has authority		„ s.69.

LOCAL SELF-GOVERNMENT in municipal towns. *See* MUNICIPALITY.

LODGING-HOUSE ACT (N.-W. PROVINCES & OUDH), 1892. (*See* MUNICIPALITY, XI, 1) N.&O.Act1,1892.

„ „ (PUBL), 1871. (*See* PILGRIM) Pen.Act4,1871.

LODGING-HOUSE.
Seamen's. *See* MERCHANT SHIPPING, 2 (*e*), (*h*).
In Puri, etc. *See* PILGRIM, B, I.
Regulation of, in municipalities :
Aj., L. B., C. P. *See* MUNICIPALITY, II, 6 (*l*), (*t*).
As., Ben. Districts. „ V, 6 (*q*).
Cal. „ „ VI, 6 (*t*).
N.-W. P. & O. „ „ XI, 1.
Punjab. „ „ XIV, 6 (*t*).
See also PLACES OF PUBLIC RESORT, ETC.

LOTTERY.
Prosecution and punishment for keeping lottery office. *See* CRIMINAL LAW (INDIAN), 12.

LOW-WATER MARK defined. *See* WORDS AND PHRASES.

LUNATICS REMOVAL (INDIA) ACT, 1851.[1] / LUNATIC SOLDIERS' PROPERTY ACT, 1873. (*See* LUNATIC, 5) - 14-5V.c.81. / Act14,1873.

LUNATIC.

1. Preliminary.

Acts 35 and 36, 1858, declared in force—
throughout British India, except as regards the Scheduled Districts - - - - - - - - - Act15,1874,s.3.
in the Santhál Parganas - - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
in the Arakan Hill District (with a modification in Act 35) - Reg.9,1874,s.3.
in Upper Burma generally (except the Shan States) - - Act20,1886,s.6.
in British Baluchistan - - - - - - - Reg.1,1890,s.3.
Act 36, 1858, declared in force in Angul and the Khondmals - Reg.1,1894,s.3.
Act 14, 1873, extends to whole of British India and, as regards British subjects, to Native States - - - Act14,1873,s.1.
„ „ declared in force in—
Upper Burma generally (except the Shan States)- Act20,1886,s.6.
British Baluchistan - - - - Reg.1,1890,s.3.
Act 11, 1877 (Military Lunatics), extends to whole of British India and, as regards British subjects, to Native States in alliance with Her Majesty - - - Act11,1877,s.1.
„ „ declared in force in—
Upper Burma generally (except the Shan States) - Act20,1886,s.6.
British Baluchistan - - - - Reg.1,1890,s.3.
Definition of "lunatic." *See* WORDS AND PHRASES.

2. Proceedings in Chartered High Courts.

Power of Court to direct enquiry into alleged lunacy and into affairs of alleged lunatic; procedure in such enquiry; powers of Judge or Provincial Court making such enquiry; costs of enquiry - - Act34,1858,sections 1 to 11.
Committees of person and estate of lunatic; appointment and general powers and duties of - - - - - „ ss.12,13,19to23.
Court or Master of Court; general powers and duties of, as to estate of lunatic - - - - - - - - „ ss.14to18,20to 23,30,31.
Power of Court to order performance of contract made before lunacy „ s.20.
„ „ to dissolve partnership when partner becomes lunatic „ s.21.

[1] This short title was given by 59 & 60 Vict. c. 14.

LUNATIC—*cont.*

2. Proceedings in Chartered High Courts—*cont.*

Assumption by Court of Wards of management of lunatic's land - Act34,1858,section24.
Transfer of stock belonging to lunatic - - - - - „ ss.25,26.
Power to apply lunatic's property for his maintenance without appointing committee - - - - - - - - „ ss.27,28.
Enquiry, and setting aside of proceedings, when unsoundness of mind has ceased - - - - - - - - - „ s.29.

3. Proceedings in Provincial Courts.

Definition of "Civil Court" - - - - - - - - Act35,1858,s.23.
Power of Civil Court to institute enquiry into alleged lunacy; procedure in such enquiry; costs; power to issue commission to subordinate Court to hold enquiry - - - - - - - „ ss.2to8.
Transfer of estate of lunatic to Court of Wards, or appointment of manager and guardian, or transfer of estate to Collector - - „ ss.9to11.
Remuneration of manager and guardian - - - - - „ s.12.
General duties of guardian; allowance for maintenance of lunatic and his family - - - - - - - - - „ s.13.
General powers and duties of manager - - - - - „ ss.14to16.
Suit by relative against manager for an account - - - - „ s.17.
Power to fine manager - - - - - - - - „ s.19.
„ to remove manager or guardian - - - - - „ s.18.
Act 35, 1858, s. 11, repealed in Bengal - - - - - Ben.Act9,1879,s.2.
„ „ ss. 12 to 19, declared not to apply to persons or properties under charge of Court of Wards in Bengal - - „ s.10.
Power of Court to apply lunatic's property for his maintenance without appointing manager - - - - - - - - Act35,1858,s.20.
Enquiry, and restoration of estate, when unsoundness of mind has ceased - - - - - - - - - - „ s.21.
Appeal from orders of Civil Court - - - - - - „ s.22.

4. Asylums.

Power of Local Government to establish public and license private asylums - - - - - - - - - - Act36,1858,section1.
Power to make rules for management of asylums - - - „ s.2.
Asylums to be under authority of Local Boards, Madras. *See* LOCAL SELF-GOVERNMENT, VI, 3.
Appointment of, and inspection by, visitors - - - - „ ss.2,3.
Sending to asylum of—
wandering or dangerous lunatics - - - - - „ ss.4,6,Sch.A.
certain other civil lunatics - - - - - „ ss.5,6.
military lunatics - - - - - - Act11,1877,ss.3to6(am. Act13,1894).
Reception of lunatic in asylum - - - - - Act36,1858,ss.7,8,12, Schs.A,B.
Power to detain lunatic in asylum - - - - - „ s.13.
Payment of expenses of military lunatic - - - - Act11,1877,section8.
Order for payment of lunatic's expenses in asylum - - - Act36,1858,sections 7,8(4).
Payment of expenses by Government - - - - „ s.14.
Recovery of expenses from relative, etc. - - - - „ s.15.

LUNATIC—*cont.*

4. Asylums—*cont.*

Discharge from - - - - - - - - Act36,1858,ss.9,10. Act5,1871,section31. Act11,1877,s.7(am.Act 13,1894).

Power of Governor General in Council—

to appoint asylum in any part of British India for reception of lunatics from any other part - - - - - Act36,1858,s.17A(ins.Act 20,1889,s.1).

to authorise sending of lunatics to certain asylums - - „ s.17B(ins.Act 18,1886,s.3).

Removals of lunatic from one asylum to another - - - „ s.17C(ins.Act 20,1889,s.2).

„ of prisoner from jail to asylum. *See* PRISONER (INDIAN LAW), 2 (5).

Liability to maintain lunatic not affected by Act - - - „ s.16.

Act not to affect powers of Chartered High Courts under Act 34, 1858 - - - - - - - - - - - - „ s.17.

5. Miscellaneous.

Power of Magistrate or Commissioner of Police—

to make over charge of lunatic to relative, etc. - - - „ ss.4,6.

to order relative, etc., to maintain lunatic - - - „ ss.5,6.

to prevent cruelty to lunatic - - - - -

Detention of lunatic under observation - - - - „ s.6A(ins.Act 18,1886,s.1).

Securing and application of effects of officers and soldiers becoming insane on service, but not removed, put on half-pay, or discharged Act14,1873,ss.3to8.

To what officers and soldiers Act 14, 1873, applies - - - „ ss.2,3.

Removal of criminal and other lunatics from India to United Kingdom - - - - - - - - - 14-5V.c.81,ss.1to5,7. 47-8V.c.64,s.10(*4*).

Transcript of proceedings in lunacy in High Courts to be sent to and recorded in Courts in United Kingdom - - - - - 14-5V.c.81,ss.6,7.

Powers of High Court for disposal of stock, etc., held by lunatic executor or administrator. *See* ADMINISTRATION (INDIAN LAW), 6 (*d*).

Orders by High Court for disposal of property held by lunatic mortgagee. *See* MORTGAGE, 2.

Valuation of payment, etc., under power-of-attorney without notice of lunacy of donor - - - - - - - Act7,1882,s.3

Procedure in suit by or against lunatic. *See* CIVIL PROCEDURE, 4.

Who to sue for lunatic in matrimonial cause - - - Act4,1869,s.48.

For purposes of limitation, time does not run during insanity - Act15,1877,s.7.

Lunatic not liable for criminal offence - - - - Act45,1860,s.84.

Procedure on trial of lunatic. *See* CRIMINAL PROCEDURE (INDIAN), 11 (2).

Liability for necessaries supplied to lunatic - - - - Act9,1872,s.68.

Municipal Funds applicable to payment of expenses of pauper lunatics :

Aj., L. B., C. P. *See* MUNICIPALITY, II, 6 (*t*).

Punjab. „ „ XIV, 6 (*t*).

LUNATIC—*cont.*

5. Miscellaneous—*cont.*

Payment of deposits in Government Savings Bank belonging to lunatic - - - - - - - - - Act5,1873,s.12.

See also ARMY, 3, 4 (*d*) (4), 6 (*e*), 2; INDIAN MILITARY AND NAVAL FORCES, III, 4; INSOLVENCY, 4.

LUSHAI HILLS. *See* SOUTH LUSHAI HILLS.

MADRAS AND BOMBAY ARMIES ACT, 1893. (*See* INDIAN MILITARY AND NAVAL FORCES, I) - - - - - - - - 56-7V.c.62.

MADRAS CITY CIVIL COURT ACT, 1892. (*See* CIVIL COURTS, XII, B) Act7,1892.

MADRAS IRRIGATION AND CANAL COMPANY'S ACT, 1880 - - Act16,1880.

MADRAS IRRIGATION AND CANAL COMPANY.

Maximum rate chargeable by, for supply of water otherwise than for purposes of irrigation - - - - - - - - Act30,1865.

Maximum tolls, fares and rates chargeable by, for navigation and for conveyance of passengers, animals and goods - - - - Act16,1880,preamble, s.2,Sch.

Power of, to make rules as to management, etc., of canal; penalty for breach of rules; publication of rules; power of Local Government to cancel rule - - - - - - - - „ ss.3to5.

Exhibition of Act, rules, time-table and tariff, under penalty - „ ss.6,7.

Place for trial of offences against Act or rule - - - „ s.8.

Saving of prosecutions under other laws - - - - „ s.9.

MADRAS UNIVERSITY. *See* UNIVERSITY, 2.

MAGAZINES.

Copyright in. *See* COPYRIGHT, 1.

MAGISTRATE.

Appointment, powers and procedure of. *See* CRIMINAL PROCEDURE (INDIAN).

Cantonment Magistrate; appointment and duties of. *See* CANTONMENT, 1.

MAIL SHIPS ACT, 1891. (*See* POST OFFICE) - - - - 54-5V.c.31.

MAILS. *See* POST OFFICE (ENGLISH LAW), 1; (INDIAN LAW), 4.

MAJHAHAS TENURES IN CHOTA NAGPUR. *See* LANDLORD AND TENANT, III, B.

MAJORITY ACT (INDIAN), 1875. (*See* MINORITY) - - - Act9,1875.

MALABAR DISTRICT.

Provisions enacted specially for. *See ARMS, 4; MARRIAGE, II, C;* MURDEROUS OUTRAGES.

MALICIOUS DAMAGE ACT, 1861.[1] (*See MERCHANT SHIPPING*) - *24-5V.c.97.*

MAMLATDARS' COURTS ACT, 1876 - - - - - - Bom.Act3,1876.

MAMLATDAR'S COURT.

Power of, to give possession of lands, fisheries, etc., or to restore use of water, to persons wrongfully dispossessed, etc.; power of, to issue injunction - - - - - - - - - Bom.Act3,1876,section4.

Limitation of suits in - - - - - - - „ ss.5to15,20, Schs.A,B,C.

Plaint, attendance of witnesses, and procedure, in suit in - -

[1] This short title was given by 59 & 60 Vict. c. 14.

MAMLATDAR'S COURT—*cont.*
Order of, and execution and effect thereof - - - - Bom.Act3,1876,ss.15to18.
„ no appeal from - - - - - - „ s.19.
„ limitation of suits on - - - - - „ s.21.

MANDALAY.
Laws in force in. *See* BURMA (2).

MANPUR PARGANA.
Is a Scheduled District - - - - - - Act14,1874,s.1,Sch.I,Pt. XII. Act15,1874,s.2,Sch.VI, Pt.XII.

MANUFACTURE defined. *See* WORDS AND PHRASES.

MAPS.
Copyright in. *See* COPYRIGHT, 1.

MARCHING TROOPS.

1. Preliminary.

Ben. Regs. 11, 1806, and 6, 1825,[1] declared in force—
throughout Bengal and the North-Western Provinces, except as regards the Scheduled Districts - - - - Act15,1874,ss.6,7.
in the Santhál Parganas - - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
in the Central Provinces (with modifications) - - Act20,1875,s.3(am.Act12, 1891).
in Oudh (with modifications) - - - - - Act18,1876,s.3.
in Ajmere (with modifications) - - - - Reg.3,1877,s.3,Sch.II(am. Reg.9,1893).
in Angul and the Khondmals - - - - - Reg.1,1894,s 3.
Short titles given to Ben. Regs. 11, 1806, and 6, 1825 - - Act5,1897,s.4.
Bom. Reg. 22, 1827, ss. 40 to 43, declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts - - - - - - - - Act15,1874,s.5,Sch.III (am.Act13,1889).

2. Bengal, etc.

Commanding Officer to give to Collector or Deputy Commissioner notice of arrival and of supplies, boats and temporary bridges required - - - - - - - - - Ben.Reg.11,1806,s.2(pt. rep.Act5, 1897;am.in O.,Act18, 1876,s.3).
Collector or Deputy Commissioner to issue orders to landholders' etc., to provide supplies, boats and bridges - - - „ s.3(*1*)(am.inO., Act18,1876, s.3).
Fine for non-compliance with such orders, and procedure for imposing and recovering the same ; appeal - - - - Ben.Reg.6,1825,ss.2to5 (am.inAj., Reg.3,1877, s.3;inC.P., Act20,1875, s.3;inO.,Act 18,1876,s.3).

[1] Ben. Regs. 11, 1806, and 6, 1825, have been declared, by notification under the Scheduled Districts Act, 1874, to be in force in Assam, except the North Lushai Hills.

MARCHING TROOPS—*cont.*

2. Bengal, etc.—*cont.*

Collector or Deputy Commissioner to depute native officer to accompany troops, assist them in obtaining supplies and provide them with means of transport	Ben.Reg.11,1806,s.3(*1*) (am.inO.,Act 18,1876,s.3).
Police-officers to assist in procuring transport, etc.	„ ss.3(*1*),6(am. inO.,Act18, 1876,s.3).
Supplies to be paid for at current market rates; Commanding Officer to redress grievances on complaint	„ s.3(*2*)(am. inO.,Act18, 1876,s.3).
Commanding Officer to give certificate as to boats, etc., provided	„ s.4(*1*)(am. inO.,Act18, 1876,s.3).
Examination and payment of accounts for supplies, etc.	„ s.4(*2*),(*3*)(am. Act5,1897; inO.,Act18, 1876,s.3).
Examination and payment of claims for compensation for injury sustained by landholder, etc., from march or encampment of troops	„ s.5(am.in Aj., Reg.3,1877,s. 3;inC.P.,Act 20,1875,s.3; inO., Act18,1876,s.3).
Report to be made by Collector or Deputy Commissioner to Board of Revenue of complaints of misbehaviour of troops	„ s.7(pt.rep.Act5, 1897);rep.in C.P.;Act20, 1875,s.3;rep. inO.,Act18, 1876,s.3).
Ben. Reg. 11, 1806, repealed as to coolies	Ben.Reg.3,1820,s.2. (Aj.)Reg.3,1877,s.3. (C.P.)Act20,1875,s.3. (O.)Act18,1876,s.3.
Supply of provisions and labour for marching troops in Angul District	Reg.1,1894,s.55.

3. Bombay Presidency.

Commanding Officer to give notice to District Magistrate of arrival and of aid required	Bom.Reg.22,1827,s.40(am. Bom.Act3,1886, s.2).
District Magistrate to provide guides, supplies and transport, if required	„ s.41(*1*)(am.Bom. Act3,1886,s.2).
Payment for supplies, etc.	„ s.41(*2*).
Power of District Magistrate to resort to impressment in emergent cases; payment to be made; report to be made to Local Government	„ s.42(am.Bom.Act 3,1886,s.2).
Examination and payment of claims for compensation for injury sustained by landholder, etc., from march or encampment of troops	„ s.43.

4. Burma.

Duty of headman of village to furnish, on payment, guides, supplies, and means of transport	(L.B.)Act3,1889,s.6(*g*) (am.Act18,1895,s.1). (U.B.)Reg.14,1887,s.5(*g*) (am.Reg.4,1896,s.1).

MARKETS.
Not to be established without written permission of District Magistrate; penalty - - - - - - - - Bom.Act4,1862,sec.1(am. Bom.Act3,1886).
Application for such permission; procedure to be followed by Magistrate before granting it - - - - - - - " ss.2,3.
Order by Magistrate granting or refusing such permission; appeal from order; penalty for breach of order - - - - " ss.4,6,7(am. Bom.Act3, 1886).
Act not to extend to islands of Bombay and Kolaba - - " s.8.
" " apply to religious assemblies - - - - " s.9.
" " restrict Government's powers of control - - - " s.10(am.Bom. Act3,1886).
To be under authority of Local Self-government Boards:
Ajmere. *See* LOCAL SELF-GOVERNMENT, II, 3.
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C. P. " " " V, 3.
Mad. " " " VI, 3.
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Control over, in municipalities:
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Ben. Districts. " " V, 6 (*j*).
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" City. " " XIII, 6 (*j*).
Punjab. " " XIV, 6 (*k*).
MARKS. *See* MERCHANDISE MARKS.
MARRIAGE ACT (MALABAR), 1896 - - - - - - Mad.Act4,1896.
MARRIAGE.
1540. 32 H. 8, c. 38 (Pre-contracts).[1]
1548. 2-3 E. 6, c. 23 (Pre-contracts).[1]
1859. Act 1, s. 105 (8) (Merchant Shipping).
1865. Act 15 (Marriage of Parsis).
1872. Act 3 (Marriage of persons other than Christians, Parsis, Hindus, etc.).
" Act 15 (Marriage of Christians).
" Reg. 3, s. 3 (Laws, Santhál Parganas).
1874. Act 15, s. 3 (Laws Local Extent).
" Reg. 9, s. 3 (Laws, Arakan Hills).
1876. Reg. 3, s. 28 (Marriage of Convicts, Andamans).
1879. 42-3 V. c. 29 (Navy).
1886. Act 20, s. 6 (Laws, Upper Burma).
1890. Reg. 1, s. 3 (Laws, British Baluchistan)
1891. Act 2 (Validation of Marriage of Christians).
1892. 55-6 V. c. 23 (Foreign Countries).
" Act 2 (Validation of Marriage of Christians).
1894. 57-8 V. c. 60, ss. 240, 253 (Merchant Shipping).
" Reg. 1, s. 3 (Laws, Angul).
1895. Act 17 (Validation of Marriage of Christians).
1896. Mad. Act 4 (Marriage of Malabar Hindus).
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[1] These Acts are indexed because they are published in the Collection of Statutes relating to India.

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II.—INDIAN LAW—*cont.*
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I.—ENGLISH LAW.

1. Of British Subjects out of United Kingdom.

(a) By Marriage Officer in Foreign Country.

Marriage officers and their districts - - - - 55-6V.c.23,ss.11,12,24.
Power to make marriage regulations; forms - - - „ s.21.
Notice to marriage officer of intended marriage - - „ ss.2to4.
Residence within district necessary „ „ - - „ s.2.
Copies of notice to be suspended in office - - - - „ s.3.
New notice after three months, or after decision as to caveat - „ s.6.
Consent and power to forbid - - - - - - „ s.4.
Oath before marriage - - - - - - - „ s.7.
Caveat; entry of, and transmission of, to Secretary of State for reference to Registrar General in case of doubt - - - „ s.5.
Power to refuse solemnization of marriage where inconsistent with international law - - - - - - - „ s.19.
Appeal to Secretary of State on refusal by marriage officer to celebrate „ ss.5(3),(4),19.
Solemnization in presence of marriage officer and two witnesses, according to rites of Church of England or other form - - - „ ss.8,11,12,24.
Marriage officer may ask particulars - - - - - „ s.9(5).
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Person making, guilty of perjury - - - - „ ss.15,16.
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Validity of marriages solemnized by chaplain or officer within lines of British army - - - - - - - „ s.22.
Her Majesty's ships on foreign stations.; solemnization of marriages on board - - - - - - - - „ s.12.
Merchant ships; marriages on board to be entered in log, etc. - 57-8V.c.60,ss.240(6),253(1)(ix).
Confirmation of certain marriages celebrated on board Her Majesty's ships - - - - - - - - 42-3V.c.29.
Royal Family; Act not to apply to - - - - - 55-6V.c.23,s.23.
Registration and proof of marriages abroad. *See* REGISTRATION OF BIRTHS, ETC., A, 5.

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Pre-contracts; marriages otherwise lawful, valid notwithstanding - 32H.8,c.38.
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„ jurisdiction of Ecclesiastical Courts for enforcement of

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Entry of marriages in official log - - - - - Act1,1859,s.105(8).
Registration of marriages. *See* REGISTRATION OF BIRTHS, ETC. A; B, 2. *See also below*, A, 3; B, 3; C, 2.
Effect of marriage—
on civil suit. *See* CIVIL PROCEDURE, 3.
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Punishment for offences relating to marriage. *See* CRIMINAL LAW (INDIAN), 19.
Dissolution of marriage, etc. *See* MATRIMONIAL CAUSES, A, 3; B, 2; C.

A.—CHRISTIANS.

1. Preliminary.

Act 15, 1872, extends to whole of British India and, as regards Christian British subjects, to Native States in alliance with Her Majesty - - - - Act15,1872,s.1.
„ „ declared in force in—
the Santhál Parganas - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
the Arakan Hill District - - - - Reg.9,1874,s.3.
Upper Burma generally (except the Shan States) - Act20,1886,s.6.
British Baluchistan - - - - Reg.1,1890,s.3.
Definitions - - - - - - - - - Act15,1872,s.3(am.Act6, 1886,s.30).

2. Solemnization.

By whom alone marriage may be solemnized - - - Act15,1872,ss.4,5.
Grant and revocation of licenses to solemnize marriages - - „ ss.6,9.
Validation of certain licenses granted under former Acts - - Act2,1891,s.1(*2*),(*3*).
Registrars; appointment, etc., of - - - - - Act 15, 1872,sections7,8.
Time and place for - - - - - - - „ ss.10,11(am.Act2, 1891,ss.2,3).
By licensed minister of religion:
Notice of intended marriage - - - - - „ ss.12to16,Sch.I.
Certificate of receipt of such notice - - - - „ ss.17to24,Sch.II.
Consent of father or guardian - - - - - „ ss.18to22.
Form of, and witnesses to, marriage - - - - „ s.25.
Certificate void if marriage not solemnized within two months - „ s.26.
Validation of certain marriages solemnized in Bangalore - Act17,1895.
Native Christians (other than Roman Catholics):
Marriages of, to be certified if certain conditions fulfilled, without the preliminary notice being given - - Act15,1872,ss.60,61,65.

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MARRIAGE—*cont.*

II.—INDIAN LAW—*cont.*

A.—CHRISTIANS—*cont.*

2. Solemnization—*cont.*

By licensed minister of religion—*cont.*:
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Validation of certain marriages between persons only one of whom was a Native Christian, and penalty for solemnizing such marriages in future — Act 2, 1892.
By or in presence of Registrar:
Notice of intended marriage — Act 15, 1872, ss.38 to 40, Sch.I.
Certificate of receipt of such notice — „ ss.41 to 45, 50, Sch.II.
Oath as to absence of impediment and as to abode and consent — „ s.42.
Consent of father or guardian — „ ss.42, 44, 45, 48.
Petition to Court for order for marriage within fourteen days — „ s.43.
„ „ where consent of father or guardian not obtainable — „ s.45.
„ „ or Governor General in Council when Registrar refuses certificate — „ ss.46, 47.
„ „ or Governor General in Council when Registrar doubts authority of person forbidding marriage — „ s.48.
Liability for frivolous protest against issue of certificate — „ s.49.
Form of, and witnesses to, marriage — „ s.51.
Certificate void if marriage not solemnized within two months — „ s.52.
Native Christians; Registrar to ascertain that they understand notice, certificate and declarations — „ ss.57, 58.
Marriage notice-book; keeping and inspection of — s.40.

3. Registration.

Of marriages solemnized by minister of religion:
Registration by minister, and transmission of returns to Registrar General of Births, Deaths and Marriages — „ ss.27 to 37, 62 to 65, Schs.III, IV (ss.29 to 31, 34, 36, 37 am. Act 6, 1886, s.30); s.62 (am. Act 2, 1891, s.4).
Of marriages solemnized by or in presence of Registrar:
Registration by Registrar, and transmission of returns to Registrar General of Births, Deaths and Marriages, etc. — „ ss.53 to 56, 59 (s.55 am. Act 6, 1886, s.30), Sch.IV.
Correction of errors in registration — „ s.78 (am. Act 6, 1886, s.30).
Searches, and copies of entries — „ s.79 (am. Act 6, 1886, s.30).
„ „ „ fees for — „ ss.82 to 84.
Certified copy of entry to be evidence — „ s.80.
Transmission of certificates to Registrar General in England — „ s.81 (am. Act 6, 1886, s.30).
Power to make rules — „ ss.83, 84.

See also REGISTRATION OF BIRTHS, ETC.

MARRIAGE—*cont.*

II.—INDIAN LAW—*cont.*

A.—CHRISTIANS—*cont.*

4. Miscellaneous.

Penalties for false oath, declaration, etc., for procuring marriage	Act 15, 1872	s.66 (am. Act 2, 1891, s.5).
„ for forbidding, by false personation, issue of certificate	„	s.67.
„ for unlawful solemnization, etc.	„	ss.68 to 74 (am. Act 2, 1891, ss.6 to 9).
„ for destroying or falsifying register-book	„	s.75.
Limitation of prosecutions	„	s.76.
Certain irregularities not to invalidate marriage	„	s.77.
Certified copy of certificate, etc., to be evidence	„	s.80.
Fees	„	ss.82 to 84.
Power to make rules	„	ss.83, 84.
„ to declare who shall be deemed to be District Judge	„	s.85.
Delegation of functions of Governor General in Council	„	s.86 (am. Act 2, 1891, s.10).
Act not to apply to marriages by Consuls, etc.	„	s.87.
„ „ validate marriage within prohibited degrees	„	s.88.

B.—PARSIS.

1. Preliminary.

Act 15, 1865 (the Pársí Marriage and Divorce Act, 1865), declared in force throughout British India, except as regards the Scheduled Districts	Act 15, 1874	s.3.
Definitions	Act 15, 1865	section 2.

2. Solemnization.

Requisites to validity—(1) no near relationship; (2) solemnization by Parsi priest in presence of two Parsi witnesses; (3) consent of father or guardian in case of minor	„	s.3.
Bigamy; prohibition and punishment of	„	ss.4, 5, 9.
Certificate of marriage to be signed; penalty	„	ss.6, 10, 11, Sch.
„ „ penalty for making false certificate	„	s.12.

3. Registration.

Registrar; appointment of	„	s.7.
„ to register marriages; penalty	„	ss.6, 13.
Inspection of, and grant of extracts from, register	„	s.8.
Register to be evidence	„	s.8.
Penalty for altering, etc., register	„	s.14.
Transmission of copies of certificates to Registrar General	„	s.8A (ad. Act 6, 1886, s.31).

See also REGISTRATION OF BIRTHS, ETC.

4. Miscellaneous.

Cognizance of offences	„	ss.46, 47.
Recovery of fines	„	ss.48 to 50.
Power to confer powers of Local Government	„	s.52.

MARRIAGE—*cont.*

II.—INDIAN LAW—*cont.*

C.—CERTAIN MALABAR HINDUS.

1. Preliminary.

Mad. Act 4, 1896, applies to Hindus domiciled in Madras Presidency following the Marumakkatayam or the Aliyasantana Law of Inheritance - - - - - - - - - Mad.Act4,1896,section1.
Definitions - - - - - - - - - - „ s.2.

2. Registration.

Registration of sambandham as a marriage:
Conditions subject to which registration may be made - - „ s.3.
Registrar; appointment of - - - - - - „ s.4.
„ notice to be given to; notices how dealt with - „ ss.5to7,FormA.
„ fees to - - - - - - - „ s.14.
„ attendance by, at residence of parties - - „ s.13.
Objections to registration, how to be dealt with - - „ ss.8to10.
Declaration by parties and witnesses - - - - „ s.11,FormB.
When registration may be made - - - - „ ss.8,11.
Marriage notice-book; keeping and inspection of - - „ s.6.
Marriage Certificate book:
Entry of certificate of marriage in - - - - „ s.12,FormC.
Inspection of, and grant of extracts from - - - „ s.14.
Marriage when void - - - - - - - „ ss.15,16.
Service of notices - - - - - - - „ s.25.

D.—HINDU WIDOWS.

See HINDU WIDOW.

E.—PERSONS OTHER THAN CHRISTIANS, JEWS, HINDUS, MUHAMMADANS, PARSIS, BUDDHISTS, SIKHS AND JAINAS.

Act 3, 1872, extends to whole of British India - - - Act3,1872,s.1.
„ „ declared in force in—
the Santhál Parganas - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
British Baluchistan - - - - Reg.1,1890,s.3.
Angul and the Khondmals - - - - Reg.1,1894,s.3.
Conditions as to celibacy, age, consent of guardian and relationship Act 3, 1872, section 2.
Registrar: appointment of - - - - - - „ s.3.
„ notice to - - - - - - - „ s.4,Sch.I.
„ fees to - - - - - - - „ s.14.
Objections to marriage, how to be dealt with - - - - „ ss.6to9.
Solemnization of marriage by registrar - - - - „ ss.6to8,10to12, Sch.II.
Marriage notice-book; keeping and inspection of - - - „ s.5.
Marriage Certificate book:
Entry of certificate of marriage in - - - - „ s.13,Sch.III.
Transmission of copies of entries in, to Registrar General of Births, Deaths and Marriages - - - - - „ s.13A(ins.Act6, 1886,s.29).
Inspection of, and grant of extracts from - - - „ s.14.
Penalty on married person re-marrying under Act - - - „ s.15.
„ for bigamy after marriage under Act - - - „ s.16.
„ for making, etc., false declaration or certificate - - „ s.21.

MARRIAGE—*cont.*

II.—INDIAN LAW—*cont.*

E.—PERSONS OTHER THAN CHRISTIANS, JEWS, HINDUS, MUHAMMADANS, PARSIS, BUDDHISTS, SIKHS AND JAINAS—*cont.*

Application of Act 4, 1869 (Divorce), to marriages contracted under Act 3, 1872 - - - - - - - - Act 3, 1872, section 17.
Application of Act 3, 1872, to issue of persons married thereunder - „ s.18.
Act 3, 1872, not to affect validity of other marriages or modes of marriage - - - - - - - - - „ s.19.

F.—CONVICTS IN ANDAMANS.

Special requirements for validity of marriage of - - Reg.3,1876,s.28.

MARRIED WOMAN.

1. Preliminary.

Act 3, 1874, extends to whole of British India and, as regards British subjects, to Indian States in alliance with Her Majesty - - - - - - Act3,1874,s.2.
„ „ declared in force in—
the Santhál Parganas - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
the Arakan Hill District - - - - Reg.9,1874,s.3.
„ „ does not apply where wife or husband is Hindu, Muhammadan, Buddhist, Sikh or Jainá - - Act3,1874,section2.
„ „ power to exempt other races, sects or tribes from -

2. Property.

Her earnings to be her separate property - - - - - „ s.4.
May effect policy of insurance independently of husband - - „ s.5.
Policy of insurance effected by husband for benefit of wife or children - - - - - - - - - - „ s.6.
Legal proceedings by or against her - - - - - „ ss.7,8(pt.rep. Act6,1888, s.9).
Husband not liable for her ante-nuptial debts - - - „ s.9.
Rights of married woman to property, previous to passing of Naturalization Act, 1870, not affected thereby - - - - 35-6V.c.39,s.3.
Conveyance by married woman in cases governed by English law - Act31,1854,ss.2to12.
Deposits made by married woman in Government Savings Bank may be paid to her - - - - - - Act5,1873,s.13.
Power of married woman to give power-of-attorney - - - Act7,1882,s.5.

3. Miscellaneous.

National status of married woman - - - - - - 33-4V.c.14,s.10.
Maintenance of married woman under order of Magistrate. *See* CRIMINAL PROCEDURE (INDIAN), 11 (4).

See also DOWER; HINDU WIDOW; INSOLVENCY, A, 4.

MARRIED WOMEN'S PROPERTY ACT, 1874 - - - - Act3,1874.

MARTIAL LAW.
Illegality of - - - - - - - - - 3C.1,c.1.[1]

[1] This Act is indexed because it is published in the Collection of Statutes relating to India.

MARTIAL LAW—*cont.*
Power of Governor General in Council to establish, in time of war or rebellion. *See* STATE OFFENCES.
MASTER defined. *See* WORDS AND PHRASES.
See MERCHANT SHIPPING, 2.
MATADARS ACT, 1887. [*See* VILLAGE, B, 1 (*b*)] - - - Bom.Act6,1887.
MATRIMONIAL CAUSES.
1820. 1 G. 4, c. 101 (Divorce in England).
1865. Act 15 (Divorce, etc., of Parsis).
1866. Act 21 (Dissolution of Marriages of Native Converts to Christianity).
1869. Act 4 (Divorce, etc., of Christians).
1872. Reg. 3, s. 3 (Laws, Santhál Parganas).
1874. Act 15, s. 3 (Laws Local Extent).
„ Reg. 9, s. 3 (Laws, Arakan Hills).
1877. Act 15, s. 1 (Limitation).
1879. Act 13, s. 27 (Courts, Oudh).
1884. Act 18, s. 23 (Courts, Punjab).
1886. Act 20, s. 6 (Laws, Upper Burma).
1890. Reg. 1, s. 3 (Laws, British Baluchistan).
1894. Reg. 1, s. 3 (Laws, Angul).
1896. Mad. Act 4, ss. 1, 17 to 22 (Divorce, etc., of certain Malabar Hindus).
„ Reg. 9, s. 7 (*3*) (Civil Justice, British Baluchistan).

A.—CHRISTIANS GENERALLY - - { 1. Preliminary. 2. Jurisdiction. 3. Suits, etc. 4. Miscellaneous.
B.—NATIVE CONVERTS TO CHRISTIANITY - { 1. Preliminary. 2. Suits. 3. Miscellaneous.
C.—PARSIS - - - - - { 1. Preliminary. 2. Courts. 3. Suits. 4. Miscellaneous.
D.—CERTAIN MALABAR HINDUS - - .....

A.—CHRISTIANS GENERALLY.

1. Preliminary.

Act 4, 1869, extends to whole of British India and, as regards British subjects, to Indian States in alliance with Her Majesty - - - - - - Act4,1869,s.2.
„ „ declared in force in—
the Santhál Parganas - - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
the Arakan Hill District - - - - Reg.9,1874,s.3.
Upper Burma generally (except the Shan States) - Act20,1886,s.6.
British Baluchistan - - - - Reg.1,1890,s.3.
Angul and the Khondmals - - - Reg.1,1894,s,3.
Courts may grant relief under Act 4, 1869, only where petitioner is professed Christian and resides in India - - - - Act 4, 1869, section 2.
What Courts to be "High Court" for purposes of Act 4, 1869 - „ s.3(*1*)(am.Act11, 1889,s.97). Reg.9,1896,s.7(*3*).
Who to be "District Judge" for purposes of Act 4, 1869—
generally - - - - - - - Act4,1869,s.3(*2*)(pt.rep. Act18,1884; am.Act11, 1889,s.97).
in British Baluchistan - - - - - - Reg.9,1896,s.7(*3*).
in Oudh - - - - - - - Act13,1879,s.27(am.Act 20,1890,s.42).
in Punjab - - - - - - - Act18,1884,s.23(*a*).
Other definitions - - - - - - - Act4,1869,s.3(*3*)to(*10*).

MATRIMONIAL CAUSES—*cont.*

A.—CHRISTIANS GENERALLY—*cont.*

2. Jurisdiction.

Matrimonial jurisdiction of High Courts to be exercised by them and by District Courts subject to Act 4, 1869, but grant of marriage-licenses not affected	Act 4, 1869,	section 4.
Courts to act on principles of English Divorce Court	„	s.7.
Transfer of proceedings to, and reference to, High Court	„	ss.8,9.

3. Suits, etc.

For dissolution of marriage	„	ss.2,10to17.
For decree of nullity of marriage	„	ss.2,18to20.
„ „ „ „ rights of children	„	s.21.
For judicial separation	„	ss.22,23.
„ „ „ rights and position of wife as to property, contracts, etc.	„	ss.24,25.
„ „ „ reversal of	„	s.26.
For restitution of conjugal rights	„	ss.32,33.
Bar to suit for divorce *a mensâ et toro*	„	s.22.
„ „ for criminal conversation	„	s.61.
Order for protection of wife's separate property, when she is deserted by her husband	„	ss.27to31.
Payment of damages and costs by adulterer; settlement of such damages on wife or children	„	ss.34,35,39.
Alimony	„	ss.36to38.
Settlement of adulterous wife's property for benefit of husband and children	„	s.39.
Diversion of marriage settlements by Court for benefit of parties and children	„	s.40.
Orders for custody, etc., of children	„	ss.41to44.
Code of Civil Procedure applied	„	s.45.
Forms	„	s.46,Sch.
Petitions; contents of, and verification of	„	s.47(pt.rep. Act7,1870).
„ service of	„	s.50.
Who to sue on behalf of lunatic or minor	„	ss.48,49(pt.rep. Act7,1870).
Evidence; how to be taken	„	s.51.
„ husband and wife when compellable to give	„	s.52.
Hearing *in camera*, at discretion of Court	„	s.53.
Adjournments	„	s.54.
Enforcements of decrees and orders	„	s.55.
Appeals	„	ss.55,56.
Indian Limitation Act, 1877, not to apply to suits under Act 4, 1869	Act15,1877,	s.1.

4. Miscellaneous.

Liberty to parties to marry again	Act 4, 1869,	section 57.
English clergyman not compelled to solemnize marriage of person divorced for adultery, but must permit another clergyman to use his church for the purpose	„	ss.58,59.
Validation of dealings with wife under decree for judicial separation or under order to protect her property	„	s.60.

MATRIMONIAL CAUSES—*cont.*

A.—CHRISTIANS GENERALLY—*cont.*

4. Miscellaneous—*cont.*

Power of High Court to make rules	Act 4, 1869, s. 62.
Taking of evidence in India for bill of divorce in England	16 & 17 Vict. c. 101.

B.—NATIVE CONVERTS TO CHRISTIANITY.

1. Preliminary.

Act 21, 1866, extends to whole of British India	Act 21, 1866, s. 35.
" " declared in force—	
throughout *British India*, except as regards the *Scheduled Districts*	Act 15, 1874, s. 3.
in the Santhál Parganas	Reg. 3, 1872, s. 3 (am. Reg. 3, 1886).
in the Arakan Hill District	Reg. 9, 1874, s. 3.
Definitions	Act 21, 1866, section 3.

2. Suits.

If native husband/wife converted to Christianity, and native wife/husband in consequence deserts or repudiates him/her for six months, he/she may sue her/him for conjugal society	"	ss. 4, 5.
What Court to have jurisdiction	"	s. 6.
Petition; form, verification, amendment and service of	"	s. 7 (pt. rep. Act 7, 1870), s. 3, Sch. I.
Citation to respondent	"	ss. 8 to 11, Schs. II, III.
Points to be proved on appearance of petitioner	"	s. 12.
Interrogation of respondent; adjournment for a year	"	ss. 13 to 17.
Commission for examination of parties	"	s. 20.
Proof of marriage and desertion or repudiation	"	s. 21.
Application of portions of Code of Civil Procedure	"	ss. 10, 20, 22.
Dismissal and revival of suit	"	ss. 23 to 26.
Decree for dissolution of marriage	"	ss. 16 to 18, 24.
Alimony	"	s. 28.
Rights of children	"	s. 27.
No appeal; reference to High Court	"	ss. 29 to 33.

3. Miscellaneous.

Liberty to parties to marry again; right of minister to refuse to solemnize marriage	"	s. 19.
Act 21, 1866, not to invalidate Roman Catholic marriages	"	s. 34.

C.—PARSIS.

1. Preliminary.

Act 15, 1865, declared in force throughout British India, except as regards the Scheduled Districts	Act 15, 1874, s. 3.
Definitions	Act 15, 1865, s. 2.

MATRIMONIAL CAUSES—*cont.*

C.—PARSIS—*cont.*

2. Courts.

Parsi Chief Matrimonial Courts and Parsi District Matrimonial Courts :
- Constitution of — Act 15, 1865, ss.15to17.
- Judge of — „ ss.16,17.
- Delegates of — „ ss.16,17,21to24.
- Local limits of jurisdiction of — „ ss.16to19.
- Seal of — „ s.20.
- Who may practise in — „ s.25.
- In which Court suits to be brought — „ s.26.

3. Suits.

- For decree of nullity — „ ss.27,28.
- „ „ of dissolution, in case of absence — „ s.29.
- „ divorce or judicial separation : grounds for decree ; alimony — „ ss.30to35.
- „ restitution of conjugal rights — „ s.36.
- Bar to suits to enforce marriage or contract connected with marriage when husband less than 16 or wife less than 14 — „ s.37.
- Hearing *in camera*, at request of either party — „ s.38.
- Code of Civil Procedure applied — „ s.40.
- Functions of Judge and delegates, respectively — „ s.41.
- Appeal to High Court — „ s.42.
- Children ; custody and maintenance of — „ s.44.
- „ settlement of wife's property for benefit of — „ s.45.

4. Miscellaneous.

- Liberty to parties to marry again — „ s.43.
- Power of High Court to make rules — „ s.51.
- „ to confer powers of Local Government — „ s.52.

D.—CERTAIN MALABAR HINDUS.

- Mad. Act 4, 1896, applies to Hindus domiciled in Madras Presidency following the Marumakkatayam or the Aliyasantana Law of Inheritance — Mad.Act4,1896,s.1.
- Right of wife and children to maintenance — „ s.17.
- Guardianship of wife and children — „ s.18.
- Divorce : suit for ; alimony — „ ss.19to22.

MEASUREMENT OF SHIPS. *See* MERCHANT SHIPPING, 1 (*d*).

MEASURES. *See* WEIGHTS AND MEASURES.

MEASURES OF LENGTH ACT, 1889. (*See* WEIGHTS AND MEASURES) — Act2,1889.

MEDICAL ACT, 1886 — 49-50V.c.48.

MEDICAL PRACTITIONER.

Colonial and Foreign Practitioners.

- Registration in England of practitioners with recognised diploma — 49-50V.c.48,ss.11,12,13 (*4*).
- Appeal to Privy Council from refusal of General Council to recognise diploma — „ s.13.
- Separate list of colonial and foreign practitioners in register ; addition of colonial or foreign titles — „ ss.14,15.

MEDICAL PRACTITIONER—*cont.*

Colonial and Foreign Practitioners—cont.

Addition of certain foreign medical degrees in register - - 49-50V.c.43,s.16.
Power by Order in Council to define British Possessions and foreign countries to which Act applies - - - - - - „ s.17.
Colonial practitioner entitled to serve as medical officer in ship registered in colony - - - - - - - „ s.18.

MEHWASSI CHIEFS.

Certain villages belonging to, are Scheduled Districts - - Act14,1874,s.1,Sch.I, Pt.II. Act15,1874,s.2,Sch.VI, Pt.II.

MEMBER OF COUNCIL.

Of Secretary of State. *See* GOVERNMENT OF INDIA, 2 (*a*).
Of Governor General. „ „ „ 2 (*b*).
Of Governor or Lieutenant-Governor. „ „ „ 2 (*c*).

MERCHANDISE MARKS ACT (INDIAN), 1889 - - - - - Act4,1889.

MERCHANDISE MARKS.

Trade-mark defined - - - - - - - - Act4,1889,s.3(I.P.C.,s.478).
„ false; penalty for using - - - - „ s.3(I.P.C.,ss.480,482).
„ penalty for counterfeiting, etc. - - - „ s.3(I.P.C.,ss.483,485).
„ counterfeit; penalty for selling, etc., goods having - „ s.3(I.P.C.,s.486).
Property-mark defined - - - - - - - „ s.3(I.P.C, s.479).
„ false; penalty for using - - - - „ s.3(I.P.C.,ss.481,482).
„ penalty for counterfeiting, etc. - - - „ s.3(I.P.C.,ss.483to485).
„ counterfeit; penalty for selling, etc., goods having - „ s.3(I.P.C.,s.486).
„ penalty for tampering with - - - - „ s.3(I.P.C.,s.489).
False mark; penalty for making, on goods, or for using such mark - - - - - - - - - „ s.3(I.P.C.,ss.487,488.
Trade description and false trade description:
Definitions - - - - - - - - - „ ss.2,4,5.
Penalty for applying false description, or selling goods to which false description applied - - - - - - „ ss.6,7. Bom.Act5,1878,section46. Mad.Act1,1886,section57.
Prohibition of importation of goods bearing false marks - - Act8,1878,s.18(am.Act4,1889,s.10; Act 9,1891,s.3). Act4,1889,section19.
Detention and confiscation of such goods - - - - Act8,1878,s.19A(ad.Act4,1889,s.11).
Stamping of length on piece goods - - - - - Act4,1889,s.12,s.19(ad. Act9,1891,s.4). Act8,1878,s.18(am.Act 4,1889,s.10).
Acquittal where contravention of the law relating to marks or descriptions was unintentional - - - - - Act4,1889,s.8.

MERCHANDISE MARKS—*cont.*

Forfeiture of goods in respect of which offence committed; appeal	Act 4, 1889, section 9.
Evidence of origin of goods imported by sea	„ s.13.
Costs of prosecutions and defence	„ s.14.
Limitation of prosecutions	„ s.15.
Power to issue instructions as to administration of Act	„ s.16.
Implied warranty on sale of marked goods	„ s.17.
Savings as to proceedings under other laws and prosecution of servants	„ s.18.
Sampling	„ s.20
Non-disclosure of source of information as to commission of offence	„ s.21 (ad. Act 9, 1891, s.4).
Punishment of abetment in British India of acts done out of British India	„ s.22

MERCHANT SEAMEN'S ACT (INDIAN), 1876 — Act 13, 1876.

MERCHANT SEAMEN. *See* MERCHANT SHIPPING, 2.

MERCHANT SHIPPING ACT, 1894 — 57-8 V. c. 60.

„ „ „ (INDIAN), 1880 — Act 7, 1880.

„ „ „ „ 1883 — Act 5, 1883.

MERCHANT SHIPPING.

1823. 4 G. 4, c. 80, ss. 25, 26, 28, 31, 32 (Lascars).
1825. 6 G. 4, c. 78, s. 9 (Hoisting flag in case of plague, etc).
1838. Act 19 (Coasting and fishing vessels and harbour craft, Bombay Presidency).
1840. 3 & 4 Vict. c. 56 (Admission of certain ships to privileges of British ships).
1841. Act 10 (Registration; Passes for ships of Native States).
1849. 12-3 V. c. 25 (Desertion).
1850. 13-4 V. c. 26 (Salvage).
„ Act 5 (Coasting trade).
„ Act. 11 (Registration; Passes for ships of Native States).
1853. 16-7 V. c. 107, s. 229 (Coasting trade).
1856. Act 13, s. 54 (Deserters, Bombay Town).
1859. Act 1 (Merchant Seamen).
„ Act 12 (Trial of Pilots, Calcutta).
1861. 24-5 V, c. 97, ss. 42, 43, 56 (Malicious Injury).
1864. 27-8 V. c. 25, ss. 40, 41, 46 (Convoy, Salvage).
„ Bom. Act 2, s. 15 (Life-saving appliances).
1866. 29-30 V. c. 109, s. 31 (Convoy).
„ Ben. Act 4, s. 42 (Deserters, Calcutta).
1872. 35-6 V. c. 55 (Lighthouse).
1874. Act 15, ss. 3, 5 (Laws Local Extent).
1876. Act 13 (Merchant Seamen).
1879. Act 9 (Burma Coast Lights).
„ Act 15, s. 17 (Pilots, Rangoon).
1879. Bom. Act 6, s. 72 (Pilots, Bombay Port).
1880. Act 7. (Safety; Ship-surveyors; Distressed Seamen; Wreck).
1881. 44-5 V. c. 38, s. 10 (Lighthouse).
„ 44-5 V. c. 69, s. 27. (Fugitive Offenders).
1883. Act 5 (Casualties; Officers' Certificates; Agreements; Distressed Seamen).
„ Act 12 (Pilots, Lower Burma).
1884. Act 7 (Steam-vessels).
1885. Act 12 (Passengers).
1886. Bom. Act 6, s. 55 (Pilots, Karachi).
1887. Act 10 (Native Passenger Ships).
„ Ben. Act 4, s. 18 (Pilots, Chittagong).
„ Bom. Act 2, ss. 10 to 16 (Muhammadan Pilgrims to the Hedjaz).
1888. Bom. Act 5, s. 52 (Pilots, Aden).
„ Mad. Act 3, s. 70 (Deserters, Madras City).
1889. Act 10, ss. 51 to 53 (Hoisting signals in river).
1890. 53-4 V. c. 37, s. 5, Sch. I (Foreign Jurisdiction).
1891. 54-5 V. c. 50, s. 1 (Affidavits).
„ Act 6 (Amendments).
1894. 57-8 V. c. 60 (Consolidation).
„ Act 15 (Validation of Bombay certificates to engineers).
1895. Act 14 (Pilgrims).
1896. 59-60 V. c. 12 (Reports of Floating Derelicts).
„ Ben. Act 1, ss. 10 to 17 (Muhammadan Pilgrims to the Hedjaz).

MERCHANT SHIPPING—*cont.*

1. Ships and Shipowners.
2. Masters and Seamen.
3. Passengers.
4. Coasting vessels, fishing vessels and harbour craft (Bombay Presidency).
5. Certain Indian Ships.
6. Cargo.
7. Prevention of Accidents.
8. Casualties, Wreck, and Salvage.
9. Pilotage.
10. Lighthouses.
11. Supplemental Provisions.
12. Miscellaneous.

Short title of Act - - - - - - - - 57-8V.c.60,section747.
Commencement of Act - - - - - - - „ s.748.

1. Ships and Shipowners.

(a) Nationality.

Capacity to own British ship (*see also* ALIEN, 1) - - - „ s.1.
National character of ship - - - - - - „ ss.68to72.
Oath of allegiance by certain shipowners - - - - „ s.1(*ii*).
Provisions as to flag, etc. - - - - - - „ ss.73to75.
Certain Indian ships. *See below*, 4, 5.

(b) Liability of Shipowners.

Liability of beneficial owner of ship - - - - - „ s.58.
„ of owner of "emigrant ship" - - - - „ s.359.
„ of shipowner for loss by fire, robbery, etc. - - - „ s.502.
„ „ „ of life, personal injury, goods lost or damaged - - - - „ s.503.
„ „ proceedings for ascertaining and apportioning damages in case of loss of life, personal injury, or loss or damage to goods - „ ss.504to509.
„ „ (criminal and civil), for unseaworthiness - „ ss.457,458. Act7,1880,ss.5,6.
„ „ for neglect as to grain cargoes - - 57-8V.c.60,s.452. Act7,1880,s.32.
„ of railway company as carrier for sea transit. *See* RAILWAY, 7.

Penalties and sums payable by shipowners recoverable by distress on ship - - - - - - - - - 57-8V.c.60,s.693. Act1,1859,s.113. Act9,1879,s.10. Act7,1884,s.40. Act10,1887,s.46. Act14,1895,s.51. Ben.Act1,1896,ss.15,17. Bom.Act2,1887,s.15.
Arrest of foreign ship for damage - - - - - 57-8V.c.60,s.688.
Proceedings on forfeiture of ship - - - - - „ s.76.

(c) Registration, and Dealings with Registered Ships.

Name of ship : rules as to - - - - - - „ s.47.
Obligation to register British ships - - - - - „ ss.2,3.
Registry of British ships ; procedure for - - - - „ ss.4to13.
„ powers of governor, etc., in colonies - - - „ ss.89,90.
Register book ; particulars to be entered in - - - - „ ss.5,11.
Survey and measurement before registry - - - - „ s.6.

MERCHANT SHIPPING—*cont.*

1. Ships and Shipowners—*cont.*

(c) Registration, and Dealings with Registered Ships—cont.

Registry; application for	57-8V.c.60,section8.
„ declaration of ownership on	„ s.9.
„ evidence on first	„ s.10.
„ port of	„ s.13.
Registrar; documents to be retained by	„ s.12.
Number of persons who may be registered as joint owners	„ s.5.
Trusts; entry of, on register, prohibited	„ s.56.
Equities not excluded by Act	„ s.57.
Registrars of British ships	„ s.4.
Marks required before registry	„ s.7.
Abandoned ships; restrictions on re-registration of	„ s.54.
Foreign ports of registry	„ s.88.
Registry of managing owner of British ship	„ s.59.
Certificate of registry; grant and form of	„ ss.14,17,18.
„ „ indorsements on	„ ss.19,20.
„ „ custody and delivery of	„ ss.15,21.
„ „ penalty for improper use of	„ s.16.
„ „ provisional, in case of loss	„ s.18.
„ „ „ on ship becoming British	„ s.22.
„ „ „ on alteration of ship	„ s.50.
„ „ terminable, in colonies	„ s.90.
„ „ temporary pass in lieu of	„ s.23.
Transfer and transmission of ships; rules as to	„ ss.24to30.
„ „ „ jurisdiction of Courts to order sale or prohibit transfer	„ ss.28to30.
Forgery and false declarations	„ ss.66,67.
Mortgages of ships; rules as to	„ ss.31to38.
Certificates of mortgage and sale	„ ss.39to46.
Registry of alterations, registry anew, and transfer of registry	„ ss.48to54.
Incapacitated persons	„ s.55.
Declarations: dispensing with	„ s.60.
„ mode of making	„ s.61.
Returns, evidence, and forms	„ ss.63to65.
Fees under Part I (ss. 1 to 91) of Act	„ s.62.
Application of „ „ „	„ s.91.
Forms under „ „ „	„ Sch.I.
Registration of coasting vessels, fishing vessels and harbour craft in Bombay Presidency. *See below*, 4.	
„ vessels plying on Indus. *See* INDUS.	
„ certain other Indian ships. *See below*, 5.	

(d) Measurement of Ships.

Measurement of tonnage: regulations as to	„ ss.77to82, 745(3), Sch.II.
„ „ foreign ships, when exempt from; their remeasurement	„ s.84.
„ „ deduction from, for crew spaces	„ s.79.

MERCHANT SHIPPING—*cont.*

1. Ships and Shipowners—*cont.*

(*d*) *Measurement of Ships*—cont.

Measurement of tonnage; deduction from, for navigation spaces	57-8V.c.60,section79.
„ „ duties as to, under control of Board of Trade	„ s.86.
„ „ fees for	„ s.83,Sch.III.
Tonnage dues payable for space occupied by deck cargo	„ s.85.
„ rates under Local Acts leviable on registered tonnage	„ s.87.
Saving for coasters	„ s.85(4).
Measurement for purposes of Burma Coast Lights Act, 1879	Act9,1879,s.9.

See also below, 5.

(*e*) *Offences in relation to Ships.*

Penalty for maliciously setting fire, etc., to ship	24-5V.c.97,ss.42,43,56.
Disobedience by master of ship under convoy to commander of convoying squadron	27-8V.c.25,s.46. 29-30V.c.109,s.31.
Offences by officers in command of convoying ships. *See* NAVY, 3 (*b*).	
Penalty for being on ship without leave before discharge of seamen	57-8V.c.60,ss.218,219. Act1,1859,s.77.

See also below, 2 (*g*), 6, 7 (*a*); *and* CRIMINAL LAW (ENGLISH); PIRACY; SEA.

2. Masters and Seamen [*see as to Mercantile marine offices, below, (h)*].

(*a*) *Certificates to Officers.*

Examination of, and certificates to, masters and mates	57-8V.c.60,ss.92to95,98. Act1,1859,ss.9to11,13,14. Act5,1883,ss.34,35,37.
„ „ „ engineers	57-8V.c.60,ss.92,93,96,98. Act7,1884,ss.26,27,31to 34,36.
Validation of "Indian Foreign Trade Certificates of Competency" granted to engineers under authority of Government of Bombay	Act15,1894.
Fees for certificates	57-8V.c.60,s.97,Sch.IV. Act1,1859,s.10(am.Act5, 1883,s.34). Act7,1884,s.36(*c*).
Certificates of service	57-8V.c.60,s.99. Act1,1859,s.12(am.Act6, 1891,s.1).
„ form and record of	57-8V.c.60,s.100. Act1,1859,s.15. Act7,1884,ss.27,29,36.
„ loss of	57-8V.c.60,s.101. Act1,1859,s.16. Act7,1884,s.30.
„ production of	57-8V.c.60,s.103. Act1,1859,ss.31,32. Act7,1884,s.35.
„ forgery of	57-8V.c.60,s.104.
Power by Order in Council to give effect to colonial certificates to masters, mates, and engineers	„ s.102.

Suspension or cancelling of certificates. *See below*, 2 (*g*).

MERCHANT SHIPPING—*cont.*

2. Masters and Seamen—*cont.*

(b) Engagement of Seamen and Apprentices to Sea-service.

Apprentices to sea-service. (*See also* APPRENTICE)	57-8V.c.60,ss.105to109. Act1,1859,s.4.
Licenses to supply seamen	57-8V.c.60,ss.110to112. Act1,1859,ss.18to20.
Fees payable on engagements	„ ss.5,6,Sch.
Power to prohibit engagement of natives of India	Act13,1876,s.5.
Agreements with crew: form, contents, execution, publication and production of	57-8V.c.60,ss.113to124. Act1,1859,ss.22to24,24A (ins.Act6,1891,s.2),ss. 25to31,32(am.Act6, 1891,s.3),ss.33,34. Act 5,1883, ss. 26 to 30.
„ „ lascars, etc.	57-8V.c.60,s.125. Act1,1859,s.115(am.Acts6 and12,1891),ss.116,117. Act 5, 1883,ss. 28, 29.
„ „ seamen as to salvage	57-8V.c.60,s.156. Act1,1859,s.48.
Power of Court to rescind agreements	57-8V.c.60,section168.
Rating of seamen	„ ss.126,746(3).

(c) Rights and Privileges of Seamen during Service.

Obligation of owner to seamen as to unseaworthiness	„ s.458. Act7,1880,s.6,
Provisions and water	57-8V.c.60,ss.198,199, 206. Act1,1859,ss.47,64to66, 71. Act5,1883,ss.27,28.
Weights and measures on board	57-8V.c.60,s.201. Act1,1859,s.68.
Anti-scorbutics, medicines, and medical attendance; what ships to carry medical practitioner	57-8V.c.60,ss.200,202to 205,207to209,Sch.V. Act1,1859,ss.67,69,71.
Accommodation	57-8V.c.60,ss.79,210,Sch. VI. Act1,1859,s.70(am.Act13, 1876,s.9),s.71.
Right to make complaint	57-8V.c.60,s.211. Act1,1859,s.72.
Restrictions on recovery of debt from seaman during voyage	57-8V.c.60,s.213. Act1,1859,s.74.
Imposition by lodging-house-keepers on, and detention of effects of, seamen	57-8V.c.60,ss.214to217. Act1,1859,ss.75to78.

(d) Termination of Seaman's Service.

Discharge of seamen in United Kingdom	57-8V.c.60,ss.127to130.
„ „ abroad, or leaving abroad	„ ss.186to189

MERCHANT SHIPPING—*cont.*

2. Masters and Seamen—*cont.*

(*d*) *Termination of Seaman's Service*—cont.

Discharge of seamen in India - - - - - Act1,1859,ss.24,25,41to 46. Act13,1876,s.4.
„ „ fees payable on - - - - - Act1,1859,ss.5,6,Sch.
„ „ by Naval Court - - - - - 57-8V.c.60,s.483(*1*)(*c*).
„ „ before voyage; compensation on - - „ s.162. Act1,1859,ss.35.
„ „ certificates and delivery of account on discharge - - - - - 57-8V.c.60,ss.128,132,189. Act1,1859,ss.42,43.
„ „ penalty on persons being on ship without leave before - - - - - 57-8V.c.60,ss.218,219. Act1,1859,s.77.
Volunteering from merchant service into Royal Navy - - 57-8V.c.60,ss.195to197.
Relief of distressed seamen left abroad - - - - „ ss.190to194. Act13,1876,s.3. Act7,1880,ss.54to67. Act5,1883,ss.32,33.

(*e*) *Seamen's Wages.*

Wages; right to - - - - - - - - 57-8V.c.60,ss.155to158. Act1,1859,ss.47to51.
„ allotment of - - - - - - - - 57-8V.c.60,s.141. Act1,1859,s.38.
„ „ in favour of savings bank - - - 57-8V.c.60,ss.141(*2*),142.
„ payment of, under allotment notes - - - - „ ss.143,144. Act1,1859,ss.38to40.
„ restrictions on advance notes - - - - - 57-8V.c.60,s.140. Act1,1859,ss.36,37.
„ time for payment of - - - - - - 57-8V.c.60,ss.134,135. Act1,1859,s.53.
„ rules as to payment of, at end of engagement - - 57-8V.c.60,ss.131,132,136to138,189,197. Act1,1859,ss.41to46.
„ „ „ in foreign money - - - 57-8V.c.60,s.139. Act1,1859,s.54(am.Act13,1876,s.10).
„ forfeiture of, and deductions from - - - - 57-8V.c.60,ss.133,159to161,231to235. Act1,1859,ss.42,52,65,90to96.
„ prohibition of attachment of; invalidity of sale of or charge on; revocability of power-of-attorney for receipt of - 57-8V.c.60,ss.163,212. Act1,1859,s.73.
„ remittance of - - - - - - - 57-8V.c.60,ss.145to147.
„ relief to seamen's families out of - - - - „ ss.182,183.
„ remedies for - - - - - - - - „ ss.164to167. Act1,1859,ss.55to58. Act7,1880,ss.62to65.
„ of deceased seaman. *See below*, (*f*).

See also COLONIAL COURT OF ADMIRALTY.

MERCHANT SHIPPING—*cont.*

2. Masters and Seamen—*cont.*

(*f*) *Property of Deceased Seamen.*

Regulations as to wages and effects of deceased seamen, and distribution of their property under will or on intestacy	57-8V.c.60,ss.169to181. Act1,1859,ss.59to61,62(am. Act12,1891),s.63
Power to Board of Trade to refuse payment of wages, etc., under will, unless certain conditions as to execution complied with	57-8V.c.60,s.177.

(*g*) *Discipline and Crimes and Offences.*

Misconduct endangering ship, life or limb	„ s.220. Act1,1859,s.79.
„ or incompetency of certificated officer: suspension of cancelling of certificate; removal of master	57-8V.c.60,ss.469to475. Act1,1859,s.80. Act5,1883,ss.4,9to18,20 (pt.rep.Act6, 1891,s.12),ss. 21to24,24A (ad.Act6, 1891,s.13). Act7,1884,s.28. Act6,1891,s.14.
Power to issue certificates in lieu of suspended or cancelled certificates	Act5,1883,ss.19,24,24A (ad.Act6,1891,s.13).
Desertion, absence without leave, disobedience, etc.	57-8V.c.60,ss.221to227. Act1,1859,ss.83,86to88,95. Act13,1876,ss.6to8.
Deserters: power of men charged as, to demand survey of ship	57-8V.c.60,s.463.
„ apprehension of, from foreign ships	„ s.238.
„ „ from Portuguese ships	12-3V.c.25.
Penalty for enticing to desert, harbouring deserter, etc.	57-8V.c.60,s.236. Act1,1859,s.97. (Bo.Town)Act13,1856, s.54. (Calcutta)Ben.Act4,1866, s.42. (Mad.City)Mad.Act3,1865, s.70.
„ on stowaways	57-8V.c.60,s.237(*1*). Act1,1859,s.98.
Discipline of stowaways and seamen carried compulsorily	57-8V.c.60,s.237(*2*). Act1,1859,s.85.
Certificates, etc., of desertion abroad	57-8V.c.60,s.229. Act1,1859,s.89.
Smuggling by seamen	57-8V.c.60,s.225(*1*)(*g*). Act1,1859,s.83(*9*).
Naval Courts: constitution of; powers of, in relation to complaints by and offences of masters and seamen	57-8V.c.60,ss.480to486.
Offences by masters as to grain cargoes	„ ss.452to454,456. Act7,1880,s.32.

MERCHANT SHIPPING—*cont.*

2. Masters and Seamen—*cont.*

(*h*) *Miscellaneous.*

Official logs : mode of keeping ; entries in ; custody of, etc. - - 57-8V.c.60,ss.228,239to 243,423. Act1,1859,ss.84,99,103to 110.

" " entries of marriages in - - - - - 57-8V.c.60,s.240(6). Act1,1859,s.105(8).

Registration of, and returns respecting, seamen - - - 57-8V.c.60,ss.251to25[illegible]

" births and deaths in British ships - - - " s.254,Sch.VIII.

" " in certain foreign ships - - " s.339,Sch.VIII.

Delivery of documents on change of master - - - - " s.25[illegible] Act1,1859,s.9[illegible]

Local marine boards : constitution, powers, duties, and expenses of - 57-8V.c.60,ss.244,245, 677(*a*), Sch.VII.

Mercantile marine offices : establishment, superintendents, business, management, and expenses of - " ss.246to250.

" " " power of Board of Trade to establish - " s.246(*1*).

Shipping offices : establishment, superintendents and business of ; fees payable - - - - - - - - Act1,1859,ss.2to8,Sch.

Superintendents to keep registers of deserters - - - 57-8V.c.60,section230.

Sailors' homes ; grant of land for - - - - - " *s.259.*

Seamen's lodging houses : bye-laws of sanitary authorities in seaport towns for licensing and inspection of - - - - " *ss.214to217.*

Savings banks ; allotment of wages in favour of - - - " ss.141(*2*),142.

Lascars, and other natives of India, Asia, Africa, etc. : agreements with ; conveyance and relief of distressed ; penalty for wrongfully leaving ashore, etc. - - - - - - - 4G.4,c.80,ss.25,26,28,31, 32. 57-8V.c.60,secs.125,184, 185.

Application of Part II (ss. 92 to 266) of Act - - - - " ss.260to263.

" " " by legislature of British Possession - - " s.264.

" " " to unregistered ships - " s.266.

3. Passengers.

(*a*) *In "Emigrant Ships."*

"Emigrant ships;" definition of - - - - - " s.268(*1*).

" " scale of voyages for - - - - " s.269.

" " "colonial voyage" defined - - - " s.270.

" " survey and inspection of - - - " s.289.

" " " " fees for - - " s.360(*2*),Sch.IX.

" " " " forms as to - - " s.360(*1*),Sch.XIV.

" " salaries and pensions of surveyors - - " s.724(*3*).

" " provision against double survey of - - " s.289(*1*).

" " appeal against refusal of certificate to - - " s.289(*3*).

" " equipment of (*see also below*, 7) - - " s.290.

" " restrictions on carriage of horses and cattle in - " s.301,Sch.XIII.

" " " " of explosives in - " s.301.

" " carriage of military stores in - - - " s.302.

MERCHANT SHIPPING—*cont.*

3. Passengers—*cont.*

(*a*) *In "Emigrant Ships"*—cont.

"Emigrant ships;" rules as to accommodation in		57-8V.c.60,ss.291,293, Sch.XI.
" " number of "steerage passengers" to be carried in		" s.292,Sch.X.
" " supply of provisions, water and medicines for		" ss.295to300.
" " to be manned by an efficient crew		" s.305.
" " to carry steward, medical practitioner, etc., in certain cases		" ss.303,304.
" " survey of provisions, etc., carried in		" s.295(*6*),(*8*).
" " bond to be given by master of		" ss.309,310.
" " certificate of clearance for		" ss.314to319.
" " penalty for being on board without consent of owner		" s.313.
" " maintenance of discipline on		" ss.324to326.
" " prohibition of sale of spirits in		" s.326.
" " stowage on goods on board		" s.294.
Passengers; "steerage passengers," "cabin passengers," "statute adults," "passage"; definition of		" ss.267,268(*2*).
" contract tickets to be given to		" ss.320to323.
" medical inspection of, and of medicines		" ss.300(*4*),306 to308.
" lists of, to be made out		" ss.311,312.
" rights and remedies of		" ss.307(*4*),308, 321,327to333, 340,357.
" diet of, during voyage		" s.298,Sch.XII.
" maintenance after arrival		" s.327.
" detention and wrongful landing		" ss.328to330.
" shipwrecked; provisions for		" ss.331to334. Act12,1885,ss.4to6,Sch.
Saving of rights of action		57-8V.c.60,section340.
Frauds in procuring emigration		" ss.353,354.
Emigration officers; appointment, powers and duties of		" s.355.
Passage brokers; licensing		" ss.341to346.
Emigrant runners; licensing		" ss.347to352.
Insurance of passage money validated		" s.335. Act12,1885,section7.
Bye-laws for landing and embarkation of emigrants		57-8V.c.60,section362.
Application of Part III (ss. 267 to 368) of Act to voyages from British Islands to ports out of Europe		" s.264.
" " " to colonial voyages		" ss.365,366.
" " " to India		" s.368. Act12,1885.
" " " to voyages to United Kingdom		57-8V.c.60,ss.336to338.
Regulations as to number of Asiatic and African passengers		" s.367(*2*)(*3*).
Recovery of fines, etc.		" ss.356,357.
Protection of officers		" s.358.

MERCHANT SHIPPING—*cont.*

3. Passengers—*cont.*

(*a*) *In "Emigrant Ships"*—cont.

Publication and production of Part III (ss. 267 to 368) of Act, and abstracts thereof - - - - - - - - 57-8V.c.60,section361.

(*b*) *In "Passenger Steamers" (see also below, 7).*

"Passenger steamer" and "passengers" - - - - - „ s.267.
„ „ survey (periodical) of, and certificate - - „ ss.271to282. Act7,1884,ss.4to10,10A, 11to13,15to25,Sch. (am.Act3,1890).
„ „ „ „ „ „ colonial 57-8V.c.60,section284.
„ „ „ exemption of certain, from - - „ ss.271(*1*),363. Act7,1884,ss.5,25.
„ „ „ provision against double - - 57-8V.c.60,s.271(*3*). Act7,1884,s.5.
„ „ certificate; appeal against refusal of - - 57-8V.c.60,s.275.
„ „ „ penalty for carrying passengers in excess - - - - „ s.283. Act7,1884,s.6.
„ „ general equipment of - - - 57-8V.c.60,s.285.
„ „ shelter for deck passengers in - - „ s.285(*3*).
„ „ signals to be provided in. *See below*, 7 (*a*).
„ „ maintenance of discipline in - - - „ ss.287,288.

(*c*) *Under Native Passenger Ships Act, 1887.*

Persons to whom and ships to which Act applies - - - Act10,1887,sections2,57.
Definitions - - - - - - - - - „ s.5.
All voyages: ports for departure or for discharge or embarkation of passengers - - - - - - - „ s.6.
„ „ notice of sailing; inspection of ship - - - „ ss.7,8.
„ „ certificates required - - - - - „ ss.9to13,15,16.
„ „ survey of ship - - - - - - „ s.14.
„ „ supply by passengers of their own food - - „ s.17.
Short voyages: space for passengers - - - - „ ss.18,56.
„ „ supplementary certificate when additional passengers taken at intermediate port - - - „ s.19.
„ „ report of deaths on voyage - - - - „ s.20.
Long voyages: space for passengers - - - - - „ ss.21,56.
„ „ statements concerning passengers - - - „ s.22.
„ „ note of deaths on voyage - - - - „ s.23.
„ „ fresh certificate when additional passengers taken at intermediate port - - - - „ s.24.
„ „ certain ships to be propelled by steam - - „ s.25.
„ „ „ „ to carry medical officer - - „ s.26.
„ „ „ „ to touch at Aden and obtain clean bill of health - - - - „ ss.27,28.
„ „ bond where ship clears for port in Red Sea - - „ s.29.
„ „ medical inspection of passengers before embarkation „ s.30.
Penalties - - - - - - - - „ ss.31to45.
Jurisdiction; prosecutions; distress of ship; application of fines - „ ss.46to49.
Depositions of absent witnesses - - - - - „ s.50.

MERCHANT SHIPPING—*cont.*

3. Passengers—*cont.*

(c) *Under Native Passenger Ships Act, 1887*—cont.

Information to be sent to ports of embarkation and discharge; admission of documents in evidence	Act 10, 1887, ss.51,52.
Power to make rules as to provisions, water, equipment, etc.	„ s.53.
Appointment of officers	„ s.54.
Power to declare what shall be deemed to be "seasons of fair weather," "seasons of foul weather," "long voyages" and "short voyages"	„ s.55.
Act 10, 1887, repealed as to pilgrim ships	Act 14, 1895, section4.

(d) *Under Pilgrim Ships Act, 1895.*

Persons to whom and ships to which Act applies	„ s.2.
Definitions	„ ss.5,6.
Ports for departure or for discharge or embarkation of passengers	„ s.7.
Notice of sailing; inspection of ship	„ ss.8,9.
Certificates required for voyages	„ ss.10to14,16,17.
Survey of ship	„ s.15.
Supply by pilgrims of their own food	„ s.18.
Space for pilgrims; baggage	„ ss.19,20.
Hospital accommodation on pilgrim ship	„ s.21.
Statements concerning pilgrims	„ ss.22,25.
Note as to deaths on voyage	„ s.23.
Fresh certificate when additional passengers taken at intermediate port	„ s.24.
Pilgrim ships to be propelled by steam and to be of prescribed tonnage	„ s.26.
Certain pilgrim ships to carry medical officer and attendants	„ s.27.
Medical officer's diaries and reports	„ s.28.
Pilgrim ships to touch at Aden and obtain certificate as to cholera	„ ss.29,30.
Bond to be taken	„ s.31.
Medical inspection of pilgrims before and after embarkation	„ ss.32to34.
Issue and production of tickets and refund of passage money	„ s.35.
Sanitary taxes payable by master of ship	„ s.36.
Penalties	„ ss.37to50.
Jurisdiction; prosecutions; distress of ship; application of fines	„ ss.51to54.
Depositions of absent witnesses	„ s.55.
Information to be sent to ports of embarkation and discharge; admission of documents in evidence	„ ss.56,57.
Power to make rules as to provisions, water, equipment, etc.; temporary continuance of rules made under Act 10, 1887	„ ss.58,59.
Appointment of officers	„ s.60.

(e) *Under Muhammadan Pilgrims Acts.*

Duties of master, etc., before sailing; penalties	Ben. Act 1, 1896, ss.10to17. Bom. Act 2, 1887, ss.10to16.

4. Coasting-vessels, fishing vessels and harbour craft (Bombay Presidency).

Marking and branding of	Act 19, 1838, sections 3,6.
Registration of	„ ss.4to8,Sch.
Fees on registration	„ ss.10,11.
Production of certificate of registration	„ s.12.

MERCHANT SHIPPING—*cont.*

4. Coasting-vessels, fishing vessels and harbour craft (Bombay Presidency)—*cont.*

Penalties - - - - - - - - - - Act19,1838,ss.13,14.
Act 19, 1838, declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts - - - Act15,1874,s.5.

5. Certain other Indian Ships.

(*a*) *Preliminary.*

Acts 10, 1841, and 11, 1850, declared in force throughout British India, except as regards the Scheduled Districts - - - „ s.3.
Definition of "Local Government" - - - - - Act10,1841,s.27(ins.Act7, 1891,s.9).

(*b*) *Ships built within limits of East India Company's Charter, owned by British subjects and belonging to British Indian ports.*

Power to declare that such ships shall be deemed to be British ships for purposes of trade within the said limits - - - 3-4V.c.56(cited in preamble toAct10,1841).
Such ships not to be deemed British ships unless registered - - Act 10, 1841, section 1.
Procedure for registration; measurement of ships; marking of tonnage on ship - - - - - - - - „ ss.1to12,14 (am.Act5, 1883,s.38, Act7,1891, ss.2to4;pt. rep.Act 7,1891,s. 1),Sch.
Fees for registration - - - - - - - - „ s.25. Act11,1850,s.4.
Power to make rules as to registration and as to marking of tonnage „ s.3.
Certificate of building to be produced with application for registration - - - - - - - - - Act 10, 1841, section18.
Ports to which ships, when registered, are to be deemed to belong; saving of former laws - - - - - - - „ s.26.
Record of change of master - - - - - - „ s.16.
Provisions as to name of ship - - - - - „ s.17[am.Act 5,1883,s.38, Act7,1891, s.6(2)].
Procedure where certificate of registration lost, mislaid or improperly detained - - - - - - - - - „ ss.19,20.
Registration *de novo* on loss, etc., of certificate or alteration of vessel or owner - - - - - - - - „ ss.19to21.
Penalty for fraudulent use, etc., of certificate - - - „ ss.15,23(am. Act5,1883, s.38,Act7, 1891,ss.5, 7).
„ making false declaration, etc. - - - - „ s.23(am.Act5, 1883,s.38, Act7,1891, s.7).
Admission, in legal proceedings, of copies of entries in registry books - - - - - - - - - „ s.22.

MERCHANT SHIPPING—*cont.*

5. Certain other Indian ships—*cont.*

(c) Ships belonging to Native States in alliance with the East India Company or owned by subjects of such States.

Power to admit such ships to the privileges and advantages of British ships for purposes of trade within the limits of the East India Company's Charter	3-4V.c.56(cited in preamble to Act10,1841).
Power to issue passes conferring on such ships, when commanded by a British subject, the privileges and advantages of British ships	Act10,1841,s.24(am.Act 7,1891,s.8). Act11,1850,s.2.
Fees for such passes	Act10,1841,s.25.
Power to make rules as to issue of passes and marking of tonnage	Act11,1850,s.3.
Ports to which ships are to be deemed to belong when pass granted saving of former laws	Act10,1841,s.26.

6. Cargo [*see also below*, 7 (*b*)].

Delivery of goods, and lien for freight	57-8Vc,ss.493to501.
Carriage of military and naval stores in passenger ships	„ s.302.
Deck cargo : liability of space occupied by, for dues	„ s.85.
Carriage of salt on Bombay and Madras coasts. *See* SALT, VI.	

7. Prevention of Accidents.

(a) Marks and Equipments.

Draught of water ; marking and record of	„ s.436. „ ss.437to445.
Deck-lines and load-lines ; marking of	Act7,1880,ss.33to43(am. Act17,1891,s.4).
Boats and life-saving appliances ; rules by Board of Trade	57-8V.c.60,ss.427to431, Sch.XVII.
„ „ „ ss. 292 to 294 and Schedule S of 17 and 18 Vict. c. 104 to apply to steam vessels proceeding from Bombay Presidency	Bom.Act2,1864,s.15.
Signals and lights ; requirements as to	57-8V.c.60,s.420. Act7,1880,ss.81to83.
„ „ fees for inspection of	57-8V.c.60,sec.420(8), Sch.XVI.
„ „ providing of, in emigrant ships and passenger steamers	„ s.290.
„ „ of distress	„ ss.434,435.
„ „ private	„ s.733.
Equipments of steam ships ; rules as to	„ ss.285,432.
Placing undue weight on safety valve	„ ss.286,433.
Lighthouses. *See below*, 10.	
See also above, 3.	

(b) Dangerous Cargo.

Restrictions on carriage of explosives in passenger ships	„ s.301.
„ „ „ generally	„ ss.446to450.
„ „ of timber	„ s.451.
„ „ of grain ; precautions against shifting ; notice of kind and quantity of cargo ; powers of inspection	„ ss.452to456, Sch.XVIII. Act7,1880,s.32.

MERCHANT SHIPPING—*cont.*

7. Prevention of Accidents—*cont.*

(*c*) *Unseaworthiness.*

Unseaworthy ship: sending of, to sea; punishment for - - 57-8V.c.60,s.457. Act7,1880,s.5.

Unsafe ships; power of Board of Trade or Local Government to detain and survey, and procedure thereon - - - - - 57-8V.c.60,ss.459to461. Act7,1880,ss.7to12,44to55.

Board or Local Government liable to pay damages for detention without reasonable cause - - - - - - 57-8V.c.60,s.460. Act7,1880,ss.27,31.

Unseaworthiness; survey of ships for, on complaint of seaman - 57-8V.c.60,s.463.

„ „ by order of Naval Court - „ s.483.

Foreign ship; detention of, for overloading or improper loading - „ s.462. Act7,1880,s.35(ad.Act17, 1891,s.5).

Court of survey; constitution of - - - - - 57-8V.c.60,s.487. Act7,1880,ss.13to15.

„ „ powers, etc., of - - - - - 57-8V.c.60,s.488. Act7,1880,ss.16to19,21.

„ „ rules for - - - - - - 57-8V.c.60,s.489. Act7,1880,ss.20,22,23.

„ „ scientific referees - - - - - 57-8V.c.60,s.490. Act7,1880,ss.24to26.

„ „ payments to officers - - - - 57-8V.c.60,s.491. Act7,1880,s.29.

Costs of detention and damages incidental thereto - - - Act7,1880,ss.27to31.

(*d*) *Collisions.*

Collisions; regulations for prevention of, and duties and liabilities in case of - - - - - - 57-8V.c.60,ss.418to423. Act7,1880,ss.81to83.

„ saving for local rules in harbours, etc. - - - 57-8V.c.60,s.421.

„ application of regulations to foreign ships - - „ s.424.

„ report of accidents and loss of ship - - - „ ss.425,426. Act5,1883,s.6(am.Act6, 1891,s.9).

(*e*) *Miscellaneous.*

Exemption of certain ships from Part II of Act 7, 1880 - - Act7,1880,s.3.

8. Casualties, Wreck and Salvage.

(*a*) *Reports and Inquiries.*

Shipping casualty; description of - - - - - 57-8V.c.60,s.464. Act5,1883,s.6.

Record of accidents on ships, and collisions - - - - 57-8V.c.60,ss.240,423. Act1,1859,s.105.

Report of accident to or loss of ship - - - - - 57-8V.c.60,ss.425,426. Act5,1883,s.6(am.Act6, 1891,s.9).

Notice of derelict vessels floating on high seas to be given to Lloyd's agent; publication of information received - - - 59-60V.c.12.

Inquiry into casualty by custom-house officer - - - 57-8V.c.60,s.465.

„ „ „ by Magistrate or specially appointed officer - Act5,1883,s.6(am.Act6, 1891,s.9).

MERCHANT SHIPPING—*cont.*

8. Casualties, Wreck and Salvage—*cont.*

(a) Reports and Inquiries—cont.

Investigation into explosion occurring on steam-ship	Act7,1884,s.37.
„ of shipping casualty by Naval Court	57-8V.c.60,ss.480to486.
„ „ „ by justices, etc.	„ ss.466to468, 476,477.
„ „ „ by special Court, Admiralty Court or principal Criminal Court	Act5,1883,ss.7,8(am.Act 6,1891,ss.10,11).
Rehearing of investigation, or appeal against decision	57-8V.c.60,section475.
Regulations as to assessors, and place of sitting	„ ss.466(*12*),467. Act5,1883,s.13.
Colonial Courts: jurisdiction of, when empowered by colonial legislature; appeal	57-8V.c.60,s.478.
Rules as to inquiries and investigations	„ s.479. Act5,1883,ss.12to17.
Inquiry into cause of death on board	57-8V.c.60,s.690.

(b) Wreck.

"Wreck" defined	„ s.510. Act7,1880,s.71.
„ receivers of; appointment, powers, duties and expenses of	57-8V.c.60,ss.511to514, 566,567,Sch.XX. Act7,1880,ss.73,76.
„ „ exercise of powers in absence of	57-8V.c.60,s.516.
„ persons exercising Admiralty jurisdiction not to interfere with	„ s.529.
„ remuneration for custody of	„ s.568.
„ dealing with	„ss.518to522. Act7,1880,s.74(am.Act6, 1891,s.7),s.79.
„ of foreign ships	57-8V.c.60,section521(*2*).
„ unclaimed; right to	„ ss.523to528.
„ offences in respect of, and in respect of shipwrecked persons, and ship stranded or in distress	„ ss.519,535to537.
„ saving of Declaration of 23rd October, 1889, between British and French Governments	Act7,1880,s.72,Sch.(am. Act6,1891,ss.6,8).
Regulations as to marine store dealers	57-8V.c.60,ss.538to542.
Anchors; marking of	„ s.543.

(c) Salvage.

"Salvage" defined	„ s.510.
„ rights to and recovery of, generally	„ ss.544to564. Act7,1880,ss.75,78.
„ by Her Majesty's ships [*see also* NAVY, 4 (*b*)]	57-8V.c.60,ss.557to564, Sch.XIX.
„ in cases of piracy [*see also* NAVY, 4 (*b*)]	13-4V.c.26.
„ on recapture from enemy [*see also* NAVY, 4 (*b*)]	27-8V.c.25,ss.40,41.

MERCHANT SHIPPING—*cont.*

9. Pilots.

(*a*) *Calcutta.*

Trial and punishment of pilots for breach of duty		Act12,1859,ss.2to11,13 to15(am.Act 6,1883,s.1), 16to20.
Saving of power to punish departmentally	„	s.21.
Withdrawal of pilot's license when he refuses to be tried under Act	„	s.22.
Persons to whom Act applicable	„	s.23.

(*b*) *Lower Burma.*

Definition of "port"	Act 12, 1883, section 2.
Examination, grading and licensing of pilots	„ ss.3,4,17,18,19.
Power to make rules to regulate conduct of pilots	„ s.5.
Trial of pilot by Special Court	„ ss.6to16,19.

(*c*) *Elsewhere.*

Aden	Bom.Act5,1888,s.52.
Bombay Port	Bom.Act6,1879,s.72.
Chittagong	Ben.Act4,1887,s.18.
Karachi	Bom.Act6,1886,s.55.
Rangoon	Act15,1879,s.17.
Indus. *See* INDUS.	

10. Lighthouses.

(*a*) *Colonial Lighthouses, under Merchant Shipping Act, 1894:*

Dues: fixing and levying of		57-8V.c.60,s.670.
„ collection and recovery of	„	s.671.
„ payment of	„	s.672.
„ application of	„	s.673.
„ accounts of	„	s.675.
Expenses	„	s.674.

(*b*) *Coast-lights, under Burma Coast Lights Act, 1879:*

Local Extent of Act		Act9,1879,section1.
Exemption of Government ships and foreign vessels of war		
Definitions	„	s.3.
Dues: levy, payment and recovery of	„	ss.4to15,Sch.
Accounts; publication of	„	s.16.

(*c*) *Basses Rock and Minicoy Lighthouses:*

Loans for	35-6V.c.55. 44-5V.c.38,s.10.

11. Supplemental Provisions.

(*a*) *Legal Proceedings.*

Jurisdiction over ship lying off coasts		57-8V.c.60,s.685.
„ in case of offences on board	„	s.686.
„ „ „ in foreign ports	„	s.687.
Prosecution of offences	„	s.680.
„ „ in British Possessions generally	„	s.711.

MERCHANT SHIPPING—*cont.*

11. Supplemental Provisions—*cont.*

(*a*) *Legal Proceedings*—cont.

Prosecution of offences in India	Act1,1859,s.112. Act7,1884,s.38.
Costs of prosecutions	57-8V.c.60,ss.700,701.
Conveyance of offenders and witnesses	„ s.689.
Powers of Naval Courts	„ s.483.
Offences, where deemed to have been committed	„ s.684. Act7,1880,s.84. Act7,1884,s.39. Act10,1887,s.47. Act14,1895,s.52.
Summary proceedings; limitation of time for	57-8V.c.60,section683.
Service of summons	„ s.696(*1*)(*a*)(*b*).
„ of orders and documents on master of ship	„ s.696(*1*)(*c*),(*2*).
Sums ordered to be paid leviable by distress on ships	„ s.693. Act1,1859,s.113. Act9,1879,s.10. Act7,1884,s.40. Act10,1887,s.46. Act14,1895,s.51. Ben.Act1,1896,ss.15,17. Bom.Act2,1887,s.15.
Application of penalties under Merchant Shipping Act	57-8V.c.60,s.699.
Board of Trade; power of, to sue in name of officer	„ s.717.
Enforcement of Act	„ s.723. Act1,1859,ss.30,117.
Remedies for recovery of master's disbursements	57-8V.c.60,s.167.
Affidavits may be made before Commissioner of Oaths at any place	54-5V.c.50,s.1.
Conflict of laws	57-8V.c.60,section 265.
Transmission and publication of documents	„ ss.739,740.
Application of Part XIII (ss. 680 to 711) of 57-8 V. c. 60 to whole of Her Majesty's dominions	„ s.712.

See also COLONIAL COURT OF ADMIRALTY.

(*b*) *Evidence.*

Admission of documents and certificates under seal of, or signed by, Secretary, etc., of Board of Trade	„ s.719.
„ of certificates signed by Secretary to Local Government, etc., that seaman is distressed	Act13,1876,s.3.
„ of certified copies of certificates of competency or service and entries as to such certificates	57-8V.c.60,s.100(*3*).
„ of statement of master of foreign-going ship as to change of crew	„ s.117(*1*). Act1,1859,s.29.
„ of certified copy of release for wages	57-8V.c.60,s.136(5). Act1,1859,s.46.
„ of copies of entries and certificates of desertion	57-8V.c.60,s.229(*2*). Act1,1859,s.89.
„ of entries in official log	57-8V.c.60,s.239(*6*). Act1,1859,s.108.

MERCHANT SHIPPING—*cont.*

11. Supplemental Provisions—*cont.*

(*b*) *Evidence*—cont.

Admission of certified copies of documents transmitted to Registrar General of Seamen	57-8V.c.60,ss.229,256(*1*).
„ of certificate made on bond of emigrant ship	„ s.310.
„ of reports of Naval Courts, etc.	„ s.484(*2*).
„ of deposition by witness taken before Judge, Magistrate or Consular Officer	„ s.691. Act1,1859,s.111. Act5,1883,s.16. Act10,1887,s.50. Act14,1895,s.55.
Proof of registers, declarations and certificates in relation to British ships	57-8V.c.60,s.695.
Production or proof of entries as to offences in official log	„ s.228(*d*). Act1,1859,s.84.
Proof of attestation of document unnecessary	57-8V.c.60,s.694.
„ exemption, etc.	„ s.697.
Declarations may be taken before Commissioner	„ s.698.
Application of Part XIII (ss. 680 to 711) of 57-8 V. c. 60 to whole of Her Majesty's dominions	„ s.712.

(*c*) *Miscellaneous.*

Exemption of Her Majesty's ships or Government's ships	„ s.741. Act1,1859,s.114. Act9,1879,s.1. Act7,1880,ss.3,80. Act5,1883,s.5. Act7,1884,s.5. Act10,1887,s.2. Act14,1895,s.2.
„ of ships of foreign States	Act1,1859,s.114. Act9,1879,s.1. Act7,1880,s.80. Act5,1883,s.5. Act7,1884,s.5. Act10,1887,s.2. Act14,1895,s.2.
Interpretation	57-8V.c.60,ss.492,742. Act1,1859,s.118(am.Act6, 1891,s.5). Act13,1876,s.2. Act9,1879,s.3. Act 7,1880,ss.2,4(am.Act 17,1891,s.3),ss.54,71. Act5,1883,s.3. Act7,1884,s.3. Act10,1887,s.5. Act14,1895,ss.5,6.
Red ensign declared to be national colours for ships of Her Majesty's subjects	57-8V.c.60,section73.
Penalty on not hoisting colours in certain cases	„ s.74.

MERCHANT SHIPPING—*cont.*

11. Supplemental Provisions—*cont.*

(*c*) *Miscellaneous*—cont.

Functions and powers of Board of Trade and their officers in relation to merchant ships — 57-8V.c.60,ss.713t o730.

Inspection of ships under direction of Board of Trade; settlement of disputes — „ ss.728to730.

Surveyors of ships — „ ss.424to427. Act7,1880,ss.68to70.

Powers for enforcement of provisions as to grain cargoes — 57-8V.c.60,s.455.

Arrest of foreign ship in territorial waters for damage to British property, wherever caused — „ s.688.

Detention of ships; mode of enforcing — „ s.692. Act1,1859,ss.31,32. Act10,1879,s.10. Act5,1883,s.14. Act7,1884,s.8. Act10,1887,s.31. Act1,1895,s.37.

Application of Part XIII (ss. 680 to 711) of 57-8 V. c. 60 to whole of Her Majesty's dominions — 57-8V.c.60,section712.

Orders in Council under Merchant Shipping Act; provision as to — „ s.738.

Application of Acts respecting seamen, etc., to ships, etc., in British Possessions and alteration of Acts respecting merchant shipping by British Possessions — „ ss.91,261,264, 266,735,736.

Regulation of coasting trade of British Possessions by legislatures — 16-7V.c.107,s.229. 57-8V.c.60,s.736.

Freedom of foreign ships to engage in coasting trade — Act5,1850.

Acts 5, 1850, and 1, 1859, declared in force throughout British India, except as regards the Scheduled Districts — Act15,1874,s.3.

Application of Merchant Shipping Acts to fishing boats, light-house vessels, and yachts — 57-8V.c.60,ss.262,263.

„ „ „ „ to vessels propelled by electricity, etc. — „ s.743.

Power to extend Merchant Shipping Acts to foreign countries in which Her Majesty has jurisdiction — 53-4V.c.37,s.5,Sch.I.

Power to apply Merchant Shipping Acts to foreign ships — 57-8V.c.60,s.734.

Conveyance of fugitive offenders; duties and liabilities of masters of vessels — 44-5V.c.69,s.27.

Provision as to foreign jurisdiction — 57-8V.c.60,s.737.

12. Miscellaneous.

Flag to be hoisted at sea when plague or other infectious disease on board — 6G.4,c.78,s.9.

Hoisting of signals on vessel arriving within signal distance of signal station in river Hooghly or in other river or channel leading to port — Act10,1889,ss.51to53.

Power to take special measures in respect of vessels in Bombay port, to check infectious disease. *See* INFECTIOUS DISEASE.

Emigrant vessels, control over. *See* EMIGRATION, A, 2 (6); C.

Special regulations as to ships arriving at Andamans. *See* ANDAMAN AND NICOBAR ISLANDS, 4.

See also INDUS; INLAND STEAM-VESSELS.

METAL TOKENS ACT, 1889. (*See* COINAGE, II, 3) - - - - Act1,1889.

MIDNAPUR.
Certain territories included in district of; Cuttack laws to be in force in such territories - - - - - - - } Ben.Reg.13,1805,s.3.
Power to alter boundaries of district - - - - }
See also CHOTA NAGPUR; POLICE, III, E.

MILITARY LAW. *See* ARMY; INDIAN MILITARY AND NAVAL FORCES; MARTIAL LAW.

MILITARY LUNATICS ACT, 1877. (*See* LUNATIC) - - - - Act11,1877.

MILITARY POLICE ACT (BENGAL), 1892. } (*See* POLICE, IV) } Act5,1892.
„ „ „ (BURMA), 1887. } Act15,1887.
MILITARY POLICE REGULATION (ANDAMAN AND NICOBAR ISLANDS), 1888. } Reg.2,1888.
MILITARY POLICE REGULATION (ASSAM), 1890. } Reg.4,1890.

MILITARY STORES.
See ARMS, AMMUNITION AND MILITARY STORES.

MINES AND MINERALS.
Presumption that Government is sole owner of all mines and entitled to take stone, gravel, etc., for public purposes, with certain exceptions; compensation for disturbance of surface - - - } (Aj.)Reg.2,1877,s.3.
Right of Government to mines and mineral products; saving of rights of occupants - - - - - - - } Bom.Act5,1879,s.69.
Right of Government to precious stones, mines, minerals, coal and earth-oil; compensation for occupation or disturbance of surface in exercise of such right - - - - - - - } (U.B.) Reg.3,1889,s.31.
Recovery of revenue payable on account of mines, minerals, precious stones, coal and earth-oil - - - - - - } „ „ ss.37to 46.
Right of Government to mines, minerals, coals and quarries; compensation for occupation or disturbance of surface - - } (C.P.)Act18,1881,s.151.
Right of Government to mines of metal and coal, earth-oil and gold-washings; presumptions as to ownership; compensation for infringement of rights of third parties in exercise of Government right - - - - - - - - } (P.)Act17,1887,ss.41to 43.
Special provisions as to, in case of acquisition of land. *See* LAND (INDIAN LAW), A (2) (*b*).
See also STONE, MIRZAPUR DISTRICT.

MINICOY. *See* LACCADIVE ISLANDS.
„ LIGHTHOUSE. *See* LOAN, A.

MINOR.
Definitions of. *See* WORDS AND PHRASES.
Not to administer his affairs during minority - - - Mad.Reg.5,1804,s.4.
Official guardianship of. *See* COURT OF WARDS.
Private guardianship of. *See* GUARDIAN AND WARD.
Liability for necessaries supplied to - - - - - Act9,1872,s.68.
Application of trust property for maintenance of - - - Act2,1882,s.41.
Procedure in suit by or against. *See* CIVIL PROCEDURE, 4.
Who to sue for, in matrimonial cause - - - - } Act4,1869,s.49(pt.rep.Act7, 1870).
May sue in certain cases in Presidency Small Cause Court, as if of full age - - - - - - - - - } Act15,1882,s.32.

MINOR—*cont.*
Payment of deposits in Government Savings Bank belonging to - Act5,1873,s.10.
Responsibility of, as partner. *See* PARTNERSHIP.
Orders by High Court for disposal of property held by lunatic minor. *See* MORTGAGE, 2.
Punishment for selling or buying, for purposes of prostitution, etc. - Act45,1860,ss.372,373.
See also INFANT.

MINORITY.
Definitions of. *See* WORDS AND PHRASES.
Age of attaining majority declared to be—
eighteen years for purposes of—
Mad. Reg. 5, 1804 (Court of Wards) - - - Mad.Reg.5,1804,s.4
Succession Act - - - - - - Act10,1865,s.3.
Oudh Estates Act - - - - - - Act1,1869,s.2.
Government Savings Banks Act - - - - - Act5,1873,s.3.
N.-W. Provinces Land-revenue Act - - - Act19,1873,s.3(*12*).
twenty-one years for purposes of—
Christian Marriage Act - - - - - Act15,1872,s.3.
Bengal Court of Wards Act - - - - Ben.Act9,1879,s.3.
in some cases eighteen, and in others twenty-one years—
generally (with savings as to marriage, dower, divorce, adoption, religious rites, etc.) - - - - Act9,1875,ss.2,3(am.Act8, 1890,s.52).
for purposes of Probate and Administration Act - - Act5,1881,s.3.
„ Guardians and Wards Act - - - Act8,1890,s.4(*1*).
In computing age, day of birth to be included as a whole day - Act9,1875,s.4.
Act 9, 1875, extends to whole of British India and, as regards British subjects, to Foreign Indian States - - - „ s.1.
„ „ declared in force in—
the Arakan Hill District - - - Reg.9,1874,s.3(am.Act11, 1889,s.102).
Upper Burma generally (except the Shan States) - Act20,1886,s.6.
For purposes of limitation, time does not run during - - Act15,1877,s.7.

MINT. *See* COINAGE, II.

MIRZAPUR STONE MAHAL ACT, 1886. (*See* STONE) - - - Act5,1886.

MISCHIEF. *See* CRIMINAL LAW (INDIAN), 15.

MONEY; definitions of. *See* WORDS AND PHRASES.

MONEY-CHANGER.
Assistance by, to police. *See* POLICE, I, D, 3; E, 3; G, 3.

MONEY-ORDER. *See* POST OFFICE (ENGLISH LAW), 2.

MONTH defined. *See* WORDS AND PHRASES

MOORSHEDABAD ACT, 1891 - - - - - - Act15,1891.

MOPLAH OUTRAGES ACT CONTINUANCE ACT. (*See* MURDEROUS OUTRAGES) - - - - - - - - Mad.Act7,1869.

MORAR CANTONMENT.
Suits for debt cognizable by Courts in, before cession to Gwalior, to be cognizable in Courts at certain other places - - Act17,1886,s.10.

MORTGAGE.

1. Generally.

Definition of "mortgage," "mortgagor," "mortgagee," "mortgage money" and "mortgage-deed"	Act 4, 1882,	section 58(*a*).
„ "simple mortgage"	„	s. 58(*b*).
„ "mortgage by conditional sale"	„	s. 58(*c*).
„ "usufructuary mortgage"	„	s. 58(*d*).
„ "English mortgage"	„	s. 58(*e*).
Registered instrument when required; unregistered instrument or delivery when sufficient; delivery of documents of title to creditor in Bombay, Calcutta, Karachi, Madras or Rangoon	„	s. 59.
Act 4, 1882, s. 59:		
Power to exempt territory from operation of	„	s. 1 (am. Act 3, 1885, ss. 1, 2).
Not to apply to territory excluded from operation of Registration Act, 1877	„	s. 1 (am. Act 3, 1885, ss. 1, 2).
Extended to all cantonments	Act 13, 1889,	s. 32.
Mortgage in case of Dekkhan agriculturist must be in writing	Act 17, 1879,	section 70,
Rights and liabilities of mortgagor:		
Right to redeem	Act 4, 1882,	ss. 60, 61, 91.
„ „ „ charge of one of several co-mortgagors who redeems, upon shares of other co-mortgagors	„	s. 95.
„ on redemption, to take accession to mortgaged property	„	s. 63.
„ „ „ to have benefit of renewal of mortgaged lease	„	s. 64.
„ of usufructuary mortgagor to recover possession	„	s. 62.
Implied contracts by mortgagor	„	s. 65.
Mortgagor in possession not to do anything which will render security insufficient	„	s. 66.
Rights and liabilities of mortgagee:		
Right to foreclosure or sale	„	s. 67.
„ to sue for mortgage-money	„	s. 68.
„ to take accession to mortgaged property	„	s. 70.
„ to have benefit of renewal of mortgaged lease	„	s. 71.
„ to charge on surplus proceeds of sale when mortgaged property sold for arrears of revenue or rent	„	s. 73.
Power of mortgagee to sell, when valid	„	s. 69 (am. Act 3, 1885, s. 5).
Rights of mortgagee in possession	„	s. 72.
Right of subsequent mortgagee to pay off prior mortgagee	„	s. 74.
Rights of mesne mortgagee against prior and subsequent mortgagees	„	s. 75.
Liabilities of mortgagee in possession	„	ss. 76, 77.
Priority:		
Postponement of prior mortgagee in case of fraud, etc.	„	s. 78.
Postponement of subsequent mortgagee in case of mortgage to secure uncertain amount, when maximum is expressed	„	s. 79.
Tacking abolished	„	s. 80.
Marshalling securities	„	s. 81.
Contribution to mortgage debt	„	s. 82.
Power to deposit in Court money due on mortgage; right to money so deposited; cessation of interest	„	ss. 83, 84.
Suits:		
Joinder of parties in suit for foreclosure, sale or redemption		s. 85.

MORTGAGE—*cont.*

1. Generally—*cont.*

Suits—*cont.*:
- Decree in foreclosure-suit:
  - Directions to be given in — Act 4, 1882, section 86.
  - Defendant to be put into possession of mortgaged property if payment made; order absolute for foreclosure if payment not made; effect of such order; power to enlarge time for payment — " s.87.
  - Power to decree sale — " s.88.
- Decree for sale:
  - Directions to be given in — " s.88.
  - Defendant to be put into possession of mortgaged property if payment made; order absolute for sale if payment not made; recovery of balance due — " ss.89,90.
- For redemption:
  - Certain persons other than mortgagor may institute suit — " s.91.
  - Decree; directions to be given in — " s.92
  - Plaintiff to be put into possession of mortgaged property, if payment made; foreclosure or sale if payment not made; power to enlarge time for payment — " s.93.
  - Bar of suits when mortgage executed before 13th February, 1844; exception — (O.) Act 13, 1879, s.37.
- Costs of mortgagee subsequent to decree — Act 4, 1882, section 94.
- Power of Court to order sale free from prior mortgage, and give prior mortgagee interest in proceeds; application of such proceeds — " ss.96,97.

Rights and liabilities of parties in case of anomalous mortgages — " s.98.
Sale of mortgaged property after attachment by mortgagee — " s.99.
Extinguishment of, on mortgagee becoming absolutely entitled to mortgaged property — " s.101.
Application to charges of law as to mortgages — " s.100.
Service on, or tender to, agent — " s.102.
Notice, etc., to or by person incompetent to contract, by or to whom to be given — " s.103.
Power of High Court to make rules for working of Act — " s.104.
Conditional sale of land on loan of money, the sale to become absolute if loan not repaid:
- Procedure for repayment of loan, or deposit of amount in Court — (P.) Ben. Reg. 1, 1798, ss.2,4.
- Lender to account for proceeds, when he has possession of the land — " s.3.
- Regulation not to affect contracts — " s.5.
- Redemption and foreclosure of mortgage in such cases — (P.) Ben. Reg. 17, 1806, ss.7,8.
- Ben. Reg. 1, 1798, and Ben. Reg. 17, 1806, ss. 7, 8—
  - declared in force in the Punjab (except such parts as relate to interest) — Act 2, 1874, s.3.
  - will be repealed on extension of Act 4, 1882, to Punjab — Act 4, 1882, s.2, Sch.

Mortgage of ship. *See* MERCHANT SHIPPING, 1 (*c*).
See also TRANSFER OF PROPERTY, A.

2. Cases governed by English Law.

Forfeiture of equity of redemption by mortgagor not giving notice of prior mortgage to subsequent mortgagee — 4 W. & M. c.16, ss.1,2 (rep. locally, Act 4, 1882).
Power to subsequent mortgagee to redeem prior mortgage — " s.3 (rep. locally, Act 4, 1882).

MORTGAGE—*cont.*

2. Cases governed by English Law—*cont.*

Acts 23, 1855, and 28, 1866, declared in force throughout British India, except as regards the Scheduled Districts - - - - Act15,1874,s.3.

Acts 23 of 1855 and 27 and 28 of 1866 apply only to cases to which English law is applicable - - - - - - Act23,1855,preamble. Act27,1866,s.3. Act28,1866,s.45.

Heir or devisee of land not entitled to claim that mortgage be paid out of personalty - - - - - - - - Act23,1855.

Act 23 of 1855 repealed except as to descents or devises occurring or made before 1st January, 1868 - - - - - - Act8,1868.

Definitions - - - - - - - - - Act27,1866,section2.

Power of High Court to make order for disposal of immoveable property, or contingent right therein, or stock, etc., held by mortgagee who is lunatic or of unsound mind - - - - „ ss.4to6.

Power of High Court to make order for disposal of immoveable property, or contingent right therein, held by mortgagee who is a minor - - - - - - - - „ ss.8,9.

Power of High Court to make order for disposal of immoveable property conveyed to mortgagee who has died without taking possession - - - - - - - - - „ s.19.

Power to appoint person to convey; power to issue order to secretary of company or society in such cases - - - - - „ s.20.

Effect of such orders for vesting stock, Government securities, etc. - „ ss.25to29.

Power of High Court—

to direct how right to transfer stock, etc., vested under Act, shall be exercised - - - - - - - - - „ s.34.

to make order as to costs under Act - - - - - „ ss.44,49.

Orders of High Court to be conclusive evidence of matters on which they are based - - - - - - - - „ s.44.

Payment into Court, etc., of moneys to which minor or person of unsound mind is entitled by virtue of action taken under Act - „ s.46.

Stamp duty on orders made under Act - - - - - „ s.48.

Power of High Court to direct enquiry whether person concerning whom petition is presented under Act 27, 1866, is of unsound mind; application of Act 34, 1858 - - - - - „ s.50.

Power of High Court to postpone making order under Act until petitioner's right declared in suit - - - - - - „ s.51.

Indemnity to persons obeying orders made under Act - - „ s.52.

Order under Act to have force of decree - - - - - „ s.53.

Definitions - - - - - - - - - - Act28,1866,section1.

Rights and liabilities of mortgagee:

Right, when payment is in arrear, to sell or appoint receiver; provisions supplemental to that right - - - - „ ss.6to19.

Act 28, 1866, ss. 6 to 19, applied to English mortgages wherever in British India the property is situate, when neither party is a Hindu, etc. - - - - - - - - - Act4,1882,s.69(am.Act3, 1885,s.5).

MOVEABLE PROPERTY defined. *See* WORDS AND PHRASES.

MUKHTAR. *See* LEGAL PRACTITIONER, 1, 2.

MUNICIPAL ACT (BENGAL), 1876 - - - - - - Ben.Act5,1876.

„ „ „ 1884 - - - - - - Ben.Act3,1884.

MUNICIPAL ACT (BOMBAY DISTRICTS), 1873	Bom.Act6,1873.
„ „ (BURMA), 1884	Act17,1884.
„ „ (CENTRAL PROVINCES), 1889	Act18,1898.
„ „ (CITY OF BOMBAY), 1888	Bom.Act3,1888.
„ „ (CITY OF MADRAS), 1883	Mad.Act1,1884.
„ „ (PUNJAB), 1891	Act20,1891.
MUNICIPALITIES ACT (MADRAS DISTRICTS), 1884	Mad.Act4,1884.
„ „ (N.-W. PROVINCES AND OUDH), 1873	Act15,1873.
„ „ „ „ 1883	Act15,1883.
MUNICIPAL ACT AMENDMENT ACT (BOMBAY DISTRICTS), 1884	Bom.Act2,1884.
„ „ „ „ (CITY OF BOMBAY), 1888	Bom.Act4,1888.
„ „ „ „ „ „ 1893	Bom.Act1,1894.
MUNICIPAL CONSOLIDATION ACT (CALCUTTA), 1888	Ben.Act2,1888.
MUNICIPAL DEBENTURES ACT (BOMBAY), 1876	Act15,1876.
MUNICIPAL POLICE ACT (HOWRAH AND SUBURBAN), 1884	Ben.Act4,1884.
MUNICIPALITIES REGULATION (AJMERE), 1886	Reg.5,1886.
MUNICIPAL REGULATION (UPPER BURMA), 1887	Reg.5,1887.
MUNICIPAL SERVANTS ACT (BOMBAY), 1890	Bom.Act5,1890.
MUNICIPAL TAXATION ACT, 1881	Act11,1881.

MUNICIPALITY.

1865. Ben. Act 7 (Markets and Slaughter-houses, Bengal).
1867. Ben. Act 3, ss. 8, 9 (Ports).
1872. Reg. 3, s. 3 (Laws, Santhál Parganas).
1873. Act 2, s. 4 (Ferries, Upper Burma).
„ Act 15 (Municipalities, Coorg and N.-W. Provinces).
„ Bom. Act 6 (Municipalities; Bombay Presidency, except the City of Bombay).
1876. Act 15 (Debentures, Bombay City).
„ Ben. Act 5 (Municipalities, Assam).
1878. Act 17, s. 7 (Ferries, Ajmere, Assam, Central Provinces, Coorg, North-Western Provinces, Oudh Punjab).
„ Ben. Act 7, s. 84 (Excise, Bengal and Assam).
„ Bom. Act 5, s. 63 (Excise).
„ Mad. Act 7 (Police, Madras Presidency).
1879. Act 11, s. 8 (Local Authorities Loans).
„ Act 15, ss. 1, 12 (Rangoon Port Commissioners).
„ Bom. Act 6, ss. 36 to 38, 69 (Bombay Port Trustees).
1881. Act 11 (Municipal Taxation, British India generally).
1883. Act 1, ss. 3, 4 (Local Self-government, Central Provinces).
1883. Act 15 (Municipalities, N.-W. Provinces and Oudh).
„ Act 20, ss. 9, 10, 24, 54 (District Boards, Punjab).
„ Ben. Act 5 (Porters, etc., Darjeeling and Kurseong).
1884. Act 14, ss. 3, 27 (Local Boards, N.-W. Provinces and Oudh).
„ Act 17 (Municipalities, Lower Burma).
„ Act 19 (Water-supply, Rangoon).
„ Ben. Act 3 (Municipalities, Bengal and Assam).
„ Ben. Act 4 (Police, Bengal).
„ Bom. Act 1, ss. 4, 36, 47, 48 (Local Boards, Bombay).
„ Bom. Act 2 (Municipalities; Bombay Presidency, except the City of Bombay).
„ Mad. Act 1 (City of Madras Municipality).
„ Mad. Act 4 (Municipalities; Madras Presidency, except the City of Madras).
„ Mad. Act 5, ss. 2, 118 (Local Boards, Madras).
„ Mad. Act 7, s. 29 (City of Madras Municipality).
1885. Ben. Act 3, ss. 1, 30, 64, 136, 137 (Local Self-government, Bengal).
1886. Act 12, s. 24 (Petroleum).

MUNICIPALITY—*cont.*

1886. Mad. Act 2, ss. 25, 28 (Madras Harbour Trustees).
„ Reg. 5 (Municipalities, Ajmere).
„ Reg. 6, s. 3 (Rural Boards, Ajmere).
1887. Act 16, s. 94 (Agricultural Tenancies, Punjab).
„ Reg. 5 (Municipalities, Upper Burma).
1888. Act 12 (Municipalities, Bombay City and Calcutta).
„ Ben. Act 2 (Calcutta Municipality).
„ Bom. Act 3 (City of Bombay Municipality).
„ Mad. Act 3, s. 62 (Fire).
1889. Act 13, s. 20 (Cantonments).
„ Act 18 (Municipalities, Central Provinces).
1889. Ben. Act 3 (Loan by Calcutta Port Commissioners).
1890. Ben. Act 3, ss. 67, 68 (Calcutta Port).
„ Bom. Act 4, s. 77 (Police, Bombay Districts).
„ Bom. Act 5 (Municipal Servants, Bombay Presidency).
„ Mad. Act 2, s. 11 (Canals and Ferries).
1891. Act 20 (Municipalities, Punjab).
„ N. & O. Act 1 (Water-supply, N.-W. P and Oudh).
1892. N. & O. Act 1 (Lodging-houses, N.-W. P. and Oudh).
1894. N. & O. Act 3 (Drainage, etc., N.-W. P. and Oudh).

I.—GENERALLY - - - - .....

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MUNICIPALITY—*cont.*

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I.—GENERALLY.

"Municipality," "Municipal Authority," etc., defined. *See* WORDS AND PHRASES.

Power to prohibit levy of tax payable by military men or volunteers or by Government; Government to pay such taxes, or sum in lieu thereof - - - - - - - - - - - - Act11,1881.

Ss. 4 and 5 of Act 11, 1881, as to payment of taxes or sum in lieu thereof, not to apply to cantonment included in municipality - Act13,1889,s.20(2).

Local Authorities Loan Act, 1879, not to affect borrowing powers of Calcutta, Madras or Bombay Municipality, or power of any Local Authority to guarantee payment of interest - - - - Act11,1879,s.8(am.Act15, 1885).

Power to limit operation of enactments relating to municipalities as regards possession or transport of petroleum - - - - Act12,1886,s.24.

Protection of game. *See* GAME.

Hackney-carriage law for, in municipalities in several provinces. *See* HACKNEY-CARRIAGE.

Vaccination in municipalities in certain provinces. *See* VACCINATION.

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II.—AJMERE, LOWER BURMA AND CENTRAL PROVINCES.

1. Preliminary.

Definitions - - - - - - - - - - (Aj.)Reg.5,1886,ss.2,41(2),85,*Expln.*
(L.B.)Act17,1884,ss.2 (am.Act19,1888, s.1;Act21,1891,s.1), 41(2),75(4)[am. Act21,1891, s.4],138(4).
(C.P.)Act18,1889,s.5

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II.—AJMERE, LOWER BURMA AND CENTRAL PROVINCES—*cont.*

2. Constitution and Government.

(*a*) *Constitution of Municipalities.*

Procedure for constituting municipality - (Aj.)Reg.5,1886,ss.3to5. (L.B.)Act17,1884,ss.3to5. (C.P.)Act18,1889,ss.4,5.

Power to divide municipality into wards - (Aj.)Reg.5,1886,ss.9,10. (L.B.)Act17,1884,s.7. (C.P.)Act18,1889,s.7.

„ to alter municipal limits; consequences to ensue on alteration - (Aj.)Reg.5,1886,ss.154to157. (L.B.)Act17,1884,ss.154to157. (C.P.)Act18,1889,ss.134to137.

„ to except municipality from provisions of Act unsuited thereto; consequences to ensue thereupon - (L.B.)Act17,1884,s.158. (C.P.)Act18,1889,s.145.

„ to withdraw municipality altogether from operation of Regulation or Act; consequences to ensue on withdrawal - (Aj.)Reg.5,1886,s.163. (C.P.)Act18,1889,s.146.

Municipality not to be included in area subject to Local Board or District Council - (Aj.)Reg.6,1886,s.3. (C.P.)Act1,1883,ss.3,4.

(*b*) *Constitution of Municipal Committees.*

Appointment or election of members - (Aj.)Reg.5,1886,ss.6to10 (rep.in pt.and am. Reg.9,1893),s.145(*a*). (L.B.)Act17,1884,ss.6,7. (C.P.)Act18,1889,ss.6,7.

Power to except municipality from provisions relating to election of members of Committee, and to appoint such members as would otherwise have been elected - (Aj.)Reg.5,1886,s.162.

Time for Committee coming into existence - (Aj.)Reg.5,1886,s.16. (L.B.)Act17,1884,s.13.

Term of office of members - (Aj.)Reg.5,1886,ss.11,14(*3*),145(*b*). (L.B.)Act17,1884,ss.8,11(*3*). (C.P.)Act18,1889,s.7.

Resignation or removal of member - (Aj.)Reg.5,1886,ss.12,13. (L.B.)Act17,1884,ss.9,10. (C.P.)Act18,1889,s.10.

Filling of casual vacancies - (Aj.)Reg.5,1886,ss.14,145(*c*). (L.B.)Act17,1884,s.11.

Incorporation of Committee - (Aj.)Reg.5,1886,s.15. (L.B.)Act17,1884,s.12. (C.P.)Act18,1889,s.8.

Member deemed to be "Municipal Commissioner" - (Aj.)Reg.5,1886,s.160. (L.B.)Act17,1884,s.15. (C.P.)Act18,1889,s.144.

MUNICIPALITY—*cont.*

II.—AJMERE, LOWER BURMA AND CENTRAL PROVINCES—*cont.*

2. Constitution and Government—*cont.*

(*b*) *Constitution of Municipal Committees*—cont.

Chairman and Vice-Chairman; election or appointment of	(Aj.)Reg.5,1886,ss.18,19,24.
„ „ term of office of	„ „ ss.20,23(*3*),145(*b*).
„ „ resignation or removal of	„ „ ss.21,22.
„ „ filling of casual vacancy in office of	„ „ s.23.
President and Vice-President; election or appointment of	(L.B.)Act17,1884,s.16. (C.P.)Act18,1889,s.9.
„ „ term of office of	(L.B.)Act17,1884,ss.17,18(*3*). (C.P.)Act18,1889,s.9.
„ „ filling of casual vacancy in office of	(L.B.)Act17,1884,s.18.
Notification of elections, appointments and vacancies	(Aj.)Reg.5,1886,s.25. (L.B.)Act17,1884,s.19.

(*c*) *Conduct of Business.*

Ordinary and special meetings	(Aj.)Reg.5,1886,s.28. (L.B.)Act17,1884,s.21. (C.P.)Act18,1889,s.11.
Time for holding meetings	(Aj.)Reg.5,1886,s.27. (L.B.)Act17,1884,ss.20,27(*a*). (C.P.)Act18,1889,ss.12,17(*a*).
Who to be Chairman of meeting	(Aj.)Reg.5,1886,s.30. (L.B.)Act17,1884,s.23. (C.P.)Act18,1889,s.13.
Quorum	(Aj.)Reg.5,1886,s.29. (L.B.)Act17,1884,ss.22,27(*c*). (C.P.)Act18,1889,ss.14,17(*c*).
Vote of majority ordinarily decisive; Chairman has casting vote	(Aj.)Reg.5,1886,s.31. (L.B.)Act17,1884,s.24. (C.P.)Act18,1889,s.15.
Certain officers entitled to attend and speak	(Aj.)Reg.5,1886,s.32.
Record, signature and publication of proceedings	(Aj.)Reg.5,1886,s.33. (L.B.)Act17,1884,s.25. (C.P.)Act18,1889,s.16.
Proceedings to be kept open to inspection	(L.B.)Act17,1884,s.25. (C.P.)Act18,1889,s.16.
Language (English or vernacular)	(Aj.)Reg.5,1886,s.145(*d*). (L.B.)Act17,1884,s.26. (C.P.)Act18,1889,s 129(*j*).

MUNICIPALITY—*cont.*

II.—AJMERE, LOWER BURMA AND CENTRAL PROVINCES—*cont.*

2. Constitution and Government—*cont.*

(*c*) *Conduct of Business*—cont.

Making of rules or bye-laws as to conduct of business - (Aj.)Reg.5,1886,s.34, (L.B.)Act17,1884,s.27, (C.P.)Act18,1889,s.17.

Extraordinary powers of President and Vice-President in case of emergency - (L.B.)Act17,1884,s.28.

Joint Committees; appointment of, by Municipal Committee and District Board, District Council, Local Board or Cantonment Authority or another Municipal Committee; delegation of powers to, and framing of regulations for - (Aj.)Reg.5,1886,s.26(*l*). (C.P.)Act18,1889,s.18(*l*).

" " appointment of, by Municipal Committee and Cantonment Authority or another Municipal Committee; delegation of powers to, and framing of regulations for - (L.B.)Act17,1884,s.29.

Sub-Committees; appointment of, and delegation of powers to - (C.P.)Act18,1889,s.19.

(*d*) *Officers and Servants.*

Appointment, remuneration and removal of Secretary to Committee - (Aj.)Reg.5,1886,s.35. (L.B.)Act17,1884,s.31. (C.P.)Act18,1889,s.20.

" " " of Secretary to Sub-Committee - - (C.P.)Act18,1889,s.20.

Appointment and remuneration of other officers and servants - (Aj.)Reg.5,1886,ss.36, 145(*h*). (L.B.)Act17,1885,s.32. (C.P.)Act18,1889,ss.21, 129(*d*).

Dismissal of Government officials employed under former law - (Aj.)Reg.5,1886,s.17(*e*). (L.B.)Act17,1884,s.14(*e*).

Power to make bye-laws as to appointment, duties, salaries, suspension, fining and removal of officers and servants - (C.P.)Act18,1889,s.17(*l*).

" of Commissioner to prevent extravagance in establishments - (L.B.)Act17,1884,s.33. (C.P.)Act18,1889,s.22.

Pensions, gratuities and leave-allowances - - - - (Aj.)Reg.5,1886,ss.37,38 (am.Reg.9,1893). (L.B.)Act17,1884,ss.34, 35(am.Act12,1891). (C.P.)Act18,1889,ss.23,24.

Sweepers to receiveor give one month's notice before discharge or resignation; penalty for resignation or absence from duty without notice; power to apply these provisions to other servants - - (L.B.)Act17,1884,s.132A (ad.Act21,1891,s.9).

Power to make rules controlling and regulating duties of sweepers and their withdrawal from employment - - - - (C.P.)Act18,1889,s.84(*m*).

(*e*) *General Powers of Official Control.*

Copy of resolutions of Committee to be sent to District Magistrate or Deputy Commissioner - - - - - - (Aj.)Reg.5,1886,s.33(2). (C.P.)Act18,1889,s.16(2).

MUNICIPALITY—*cont.*

II.—AJMERE, LOWER BURMA AND CENTRAL PROVINCES—*cont.*

2. Constitution of Government—*cont.*

(*e*) *General Powers of Official Control*—cont.

Commissioner ; power of, to prevent extravagance in establishments	(L.B.)Act17,1884,s.33. (C.P.)Act18,1889,s.22.
Commissioner, District Magistrate or Deputy Commissioner:	
General powers of control exerciseable by	(Aj.)Reg.5,1886,s.140. (L.B.)Act17,1884,s.133. (C.P.)Act18,1889,s.124.
Power of, to suspend action of Committee or Joint Committee; report to higher authority	(Aj.)Reg.5,1886,s.141. (L.B.)Act17,1884,s.134. (C.P.)Act18,1889,s.125.
District Magistrate or Deputy Commissioner: extraordinary powers of, in case of emergency; report to Commissioner	(Aj.)Reg.5,1886,s.142. (L.B.)Act17,1884,s.135. (C.P.)Act18,1889,s.126.
Local Government ; power of—	
to provide for performance of duties in default of Committee	(Aj.)Reg.5,1886,s.143 (L.B.)Act17,1884,s.136. (C.P.)Act18,1889,s.127.
to supersede Committee in case of incompetency, persistent default or abuse of powers ; consequences to ensue on supersession	(Aj.)Reg.5,1886,s.144. (L.B.)Act17,1884,s.137. (C.P.)Act18,1889,s.128.
to frame forms and make rules	(Aj.)Reg.5,1886,s.145. (L.B.)Act17,1884,s.143. (C.P.)Act18,1889,s.129.
„ „ the general powers of control exerciseable by the Commissioner or Deputy Commissioner to be exercised by Local Government in certain municipalities	(L.B.)Act17,1884,s.133, *prov.*(2).
General powers of Local Government over Commissioners and Deputy Commissioners	(C.P.)Act18,1889,s.130.
„ „ of Commissioners over Deputy Commissioners	(L.B.)Act17,1884,s.142 (C.P.)Act18,1889,s.130.
Settlement of differences of opinion between—	
Municipal Committees, District Boards, District Councils, Local Boards and Cantonment Authorities	(Aj.)Reg.5,1886,s.26(2). (C.P.)Act18,1889,s.18(2).
Municipal Committees and Cantonment Authorities	(L.B.)Act17,1884,s.138.

3. Taxation.

Taxes which may be imposed	(Aj.)Reg.5,1886,ss.41to 43. (L.B.)Act17,1884,ss.41 (am.Act21,1891,s.2, Act14,1894),42to44. (C.P.)Act18,1889,s.29.
Procedure for imposing taxes	(Aj.)Reg.5,1886,s.44. (L.B.)Act17,1884,s.45. (C.P.)Act18,1889,s.30.

MUNICIPALITY—*cont.*

II.—AJMERE, LOWER BURMA AND CENTRAL PROVINCES—*cont.*

3. **Taxation**—*cont.*

Compounding for tolls - - - - - - (L.B.)Act17,1884,s.41(*e*) [ad.Act21,1891,s.2].

Power to abolish or reduce tax - - - - - (Aj.)Reg.5,1886,s.45. (L.B.)Act17,1884,s.46. (C.P.)Act18,1889,ss.33, 34.

„ exempt persons and property from taxation - - (Aj.)Reg.5,1886,s.46.

„ make rules for remission of taxes - - - - (L.B.)Act17,1884,s.48.

„ suspend operation of tax - - - - - (Aj.)Reg.5,1886,s.47. (L.B.)Act17,1884,s.47. (C.P.)Act18,1889,ss.33, 34.

Remission of tax on unoccupied immoveable property - (Aj.)Reg.5,1886,s.61. (L.B.)Act17,1884,s.57.

Taxes not invalid for defect of form - - - - - (Aj.)Reg.5,1886,s.48. (L.B.)Act17,1884,s.49. (C.P.)Act18,1889,s.31.

„ when payable - - - - - - - (Aj.)Reg.5,1886,s.49. (C.P.)Act18,1889,s.32.

„ receipts to be given for - - - - - (Aj.)Reg.5,1886,s.50.

Appeal against taxation; limitation - - - - - (Aj.)Reg.5,1886,ss.51to 53.

Assessment and recovery of taxes on immoveable property - (Aj.)Reg.5,1886,ss.55to 63. (L.B.)Act17,1884,ss.51to 59(am.Act19,1888,s.2).

Power to make rules as to assessment and collection of taxes - (Aj.)Reg.5,1886,s.145(*e*)(*2*). (L.B.)Act17,1884,s.48. (C.P.)Act18,1889,s.129(*a*)(*2*).

Recovery of taxes by distress and sale - - - - (Aj.)Reg.5,1886,s.153. (C.P.)Act18,1889,s.35(*1*).

„ „ by process for recovery of arrears of land-revenue - (Aj.)Reg.5,1886,s.63. (L.B.)Act17,1884,s.105. (C.P.)Act18,1889,s.35(*2*).

Power of entry for discovery of vehicles or animals liable to taxation - - - - - - - - - (Aj.)Reg.5,1886,s.96. (L.B.)Act17,1884,s.86. (C.P.)Act18,1889,s.64.

Octroi; search for, and examination of, articles liable to - (Aj.)Reg.5,1886,ss.64,65.

„ presentation of bill for - - - - - (Aj.)Reg.5,1886,s.66.

„ power to make rules as to - - - - - (Aj.)Reg.5,1886,ss.116(*i*),145(*j*). (C.P.)Act18,1889,s.84(*n*).

„ exhibition of tables of - - - - - (Aj.)Reg.5,1886,s.145(*j*).

Tolls; exhibition of tables of - - - - - (Aj.)Reg.5,1886,s.145(*k*). (L.B.)Act17,1884,s.106,cl.(*ka*)[ad.Act21,1891,s.3].

Octroi and tolls; seizure and sale of property for recovery of - (Aj.)Reg.5,1886,s.67.

MUNICIPALITY—*cont.*

II.—AJMERE, LOWER BURMA AND CENTRAL PROVINCES—*cont.*

4. Funds and Property.

Municipal Fund; constitution of - - - - - (Aj.)Reg.5,1886,s.68. (L.B.)Act17,1884,s.60. (C.P.)Act18,1889,s.36.

„ „ assignment to, of moneys from Rangoon Port Fund - - - - - - (L.B.)Act15,1879,s.1(am. Act11,1889,s.100), s.12. „ Act17,1884,s.60.

„ „ application of - - - - - (Aj.)Reg.5,1886,ss.69, 142(2),143(3). (L.B.)Act17,1884,ss.28, 61(am.Act21,1891,s.3), 135(2),136(3). (C.P.)Act18,1889,ss.37, 126(2),127(3).

„ „ authority on which money may be paid from - (Aj.)Reg.5,1886,s.145(b). (L.B.)Act17,1884,s.63(2). (C.P.)Act18,1889,s.129 (b).

„ „ custody and investment of - - - (Aj.)Reg.5,1886,ss.70,71. (L.B.)Act17,1884,ss.63 (1),64. (C.P.)Act18,1889,s.38.

„ „ compensation when payable out of - - (Aj.)Reg.5,1886,s.119. (L.B.)Act17,1884,s.111. (C.P.)Act18,1889,s.90.

„ „ accounts, estimates, and sanction to expenditure - (Aj.)Reg.5,1886,s.145(n), (o). (L.B.)Act17,1884,ss.139 to141,143(b). (C.P.)Act18,1889,s.129. (g),(h),(i).

School Fund; constitution of; Fund to be charged only with expenditure for education - - - - - (L.B.)Act17,1884,s.62.

„ „ authority on which money may be paid from - „ s.63(2).

„ „ custody and investment of - - - - „ ss.63(1),64.

„ „ accounts and estimates - - - - „ ss.139,140.

Municipal property; management of certain public institutions vested in Committee - - - (Aj.)Reg.5,1886,s.72. (L.B.)Act17,1884,s.66.

„ „ what property vested in Committee - - (C.P.)Act18,1889,s.39. (L.B.)Act17,1884,s.65.

„ „ transfer of, to Crown - - - - (L.B.)Act17,1884,s.67.

„ „ conditions on transfer of, by sale, mortgage, lease, etc. - - - - - (Aj.)Reg.5,1886,s.145(g). (C.P.)Act18,1889,s.129(c).

„ „ procedure for transfer of - - - (L.B.)Act17,1884,s.36.

„ „ acquisition of land for Committee - - (Aj.)Reg.5,1886,s.149. (L.B.)Act17,1884,s.38. (C.P.)Act18,1889,s.140.

MUNICIPALITY—*cont.*

II.—AJMERE, LOWER BURMA AND CENTRAL PROVINCES—*cont.*

4. Funds and Property—*cont.*

Municipal property; power to make rules for preventing injury to or interference with - (C.P.)Act18,1889,s.84(*a*).

Transfer of public ferry to Municipal Committee - (Aj.,C.P.)Act17,1878,s.7. (L.B.)Act2,1873,s.4.

Allotment for benefit of area excluded from municipality - (Aj.)Reg.5,1886,s.156. (L.B.)Act17,1884,s.156. (C.P.)Act18,1889,s.136.

Disposal of, when municipal area withdrawn from operation of Regulation or Act - (Aj.)Reg.5,1886,s.163. (C.P.)Act18,1889,s.146.

Contract: procedure for entering into, and mode of executing - (Aj.)Reg.5,1886,ss.39,40. (L.B.)Act17,1884,s.36. (C.P.)Act18,1889,ss.25, 26.

,, penalty on member, officer or servant of Committee being interested in contract made with Committee - ((Aj.Reg.5,1886,s.149, (L.B.)Act17,1884,s.37. (C.P.)Act18,1889,s.138.

Suit against Committee or officer thereof, etc.:

Notice of - (Aj.)Reg.5,1886,s.147. (L.B.)Act17,1884,s.39. (C.P.)Act18,1889,s.27.

Limitation of - (Aj.)Reg.5,1886,s.147. (C.P.)Act18,1889,s.27.

Liability of member of Committee for loss, waste or misapplication of money or property - (Aj.)Reg.5,1886,s.148. (L.B.)Act17,1884,s.40. (C.P.)Act18,1889,s.28.

5. Police.

Committee to maintain police-establishment - (Aj.)Reg.5,1886,s.73. (C.P.)Act18,1889,s.40(*1*).

Pay, leave-allowances, gratuities and pensions of police-establishment - (Aj.)Reg.5,1886,s.74. (C.P.)Act18,1889,s.40(*2*).

Local Government may relieve Committee from police-charges, and must then maintain police-establishment - (C.P.)Act18,1889,s.41.

Police to consist of body of watchmen or of part of general police-force - (Aj.)Reg.5,1886,s.74. (C.P.)Act18,1889,ss.40(*2*), 41(*2*).

Appointment, promotion, punishment, duties and powers of watchmen - (Aj.)Reg.5,1886,ss.75,77.

Government, appointment, promotion, punishment, duties, powers and responsibilities of watchmen - (C.P.)Act18,1889,s.42(*1*).

Arrest without warrant of person obstructing watchman - (C.P.)Act18,1889,s.42(*2*).

Duties of police consisting of part of general police-force - (Aj.)Reg.5,1886,s.76. (C.P.)Act18,1889,s.43.

Police to report offences and to assist members, officers and servants of Committee - (L.B.)Act17,1884,s.144 (*1*).

Arrest by police; detention of person arrested - (L.B.)Act17,1884,s 144 (*2*),(*3*).

Provision by Local Government of police-protection at fairs, etc. - (C.P.)Act18,1889,s.44.

MUNICIPALITY—*cont.*

II.—AJMERE, LOWER BURMA AND CENTRAL PROVINCES—*cont.*

6. The Public Health, Safety and Convenience.

(*a*) *Streets and Public Places.*
(*b*) *Buildings.*
(*c*) *Dangerous Buildings and Places.*
(*d*) *Buildings and Grounds in Insanitary Condition, etc.*
(*e*) *Deposit and Removal of Rubbish and Offensive Matter.*
(*f*) *Drains, Latrines and other Receptacles for Filth.*
(*g*) *Scavenging.*
(*h*) *Slaughter-places.*
(*i*) *Bathing and Washing Places.*
(*j*) *Water-supply.*
(*k*) *Food, Drink and Drugs.*
(*l*) *Restraint of Infection.*
(*m*) *Disposal of the Dead.*
(*n*) *Offensive and Dangerous Trades.*
(*o*) *Prevention of Fire.*
(*p*) *Dangerous Animals.*
(*q*) *Hackney-carriages, Boats, Job-horses, Porters, etc.*
(*r*) *Entry and Inspection.*
(*s*) *Taking of Census and Registration of Births, Marriages and Deaths.*
(*t*) *Miscellaneous.*

(*a*) *Streets and Public Places.*

Municipal Fund applicable to—

construction, maintenance, improvement, cleansing and repair of streets, bridges and embankments - - - - (Aj.) Reg.5,1886,s.69(2)(*a*). (L.B.) Act17,1884,s.61(2)(*a*). (C.P.) Act18,1889,s.37(2)(*a*).

watering and lighting of streets - - - - (Aj.) Reg.5,1886,s.69(2)(*b*). (L.B.) Act17,1884,s.61(2)(*b*). (C.P.) Act18,1889,s.37(2)(*b*).

Acquisition of building-sites adjoining new streets - - - (Aj.) Reg.5,1886,s.78. (L.B.) Act17,1884,s.68. (C.P.) Act18,1889,s.45.

Naming of streets; penalty for defacing, etc., name - - - (Aj.) Reg.5,1886,s.82. (L.B.) Act17,1884,s.72. (C.P.) Act18,1889,ss.49, 111.

Power to close streets - - - - - - (Aj.) Reg.5,1886,s.79. (L.B.) Act17,1884,s.69. (C.P.) Act18,1889,s.46.

Power to permit temporary occupation of street or land, and charge fees therefor - - - - - - - - (Aj.) Reg.5,1886,s.80. (L.B.) Act17,1884,s.7. (C.P.) Act18,1889,s.47.

Troughs and pipes for carrying water from buildings - - (Aj.) Reg.5,1886,s.100. (L.B.) Act17,1884,s.90. (C.P.) Act18,1889,s.68.

Removal of encroachment from building; compensation - - (Aj.) Reg.5,1886,s.86. (L.B.) Act17,1884,s.76. (C.P.) Act18,1889,s.53.

Cutting or trimming of hedges bordering on or branches overhanging street - - - - - - - - (Aj.) Reg.5,1886,s.109. (L.B.) Act17,1884,s.99. (C.P.) Act18,1889,s.77.

MUNICIPALITY—*cont.*

II.—AJMERE, LOWER BURMA AND CENTRAL PROVINCES—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*a*) *Streets and Public Places*—cont.

Penalty for unlawfully—

depositing earth, materials or offensive matter in street or public place — (Aj.)Reg.5,1886,s.121. (L.B.)Act17,1884,s.113. (C.P.)Act18,1889,s.92.

allowing offensive matter to flow, etc., into street or public place — (Aj.)Reg.5,1886,s.122. (L.B.)Act17,1884,s.115. (C.P.)Act18,1889,s.93.

encroaching on street — (Aj.)Reg.5,1886,s.133.
altering materials, fences or posts of street or publicplace — (L.B.)Act17,1884,s.124.
depositing building materials or making excavation in street — (C.P.)Act18,1889,s.106.

picketing animals or collecting carts on public ground, or using public ground as halting place or place of encampment, or permitting animals to stray — (Aj.)Reg.5,1886,s.135. (L.B.)Act17,1884,s.128. (C.P.)Act18,1889,s.108.

disturbing direction-post or lamp-post or extinguishing public light in street or public place — (Aj.)Reg.5,1886,s.137. (L.B.)Act17,1884,s.130. (C.P.)Act18,1889,s.110.

disturbing fence or injuring tree — (L.B.)Act17,1884,s.130.

Penalty for driving vehicle in street without proper lights — (Aj.)Reg.5,1886,s.128. (L.B.)Act17,1884,s.121. (C.P.)Act18,1889,s.99.

„ „ „ „ without proper means of controlling animal harnessed thereto — (C.P.)Act18,1889,s.100.

See also below, (*p*).

(*b*) *Buildings.*

Notice of new building; powers of Committee as to construction; compensation — (Aj.)Reg.5,1886,s.85. (L.B.)Act17,1884,s.75 (am.Act21,1891,s.4). (C.P.)Act18,1889,s.52.

Power to make rules as to mode of construction of buildings — (L.B.)Act17,1884,s.75A (ad.Act21,1891,s.5).

„ prevent use of inflammable materials in roof or external wall — (Aj.)Reg.5,1886,s.83. (L.B.)Act17,1884,s.73. (C.P.)Act18,1889,s.50.

Regulation of line of buildings; compensation — (Aj.)Reg.5,1886,s.84. (L.B.)Act17,1884,s.74. (C.P.)Act18,1889,s.51.

Removal of projection or encroachment from building; compensation — (Aj.)Reg.5,1886,s.86(*1*), (*2*). (L.B.)Act17,1884,s.76. (C.P.)Act18,1889,s.53(*1*), (*2*)

Permission to put up projecting verandahs, etc. — (Aj.)Reg.5,1886,s.86(*3*). (L.B.)Act17,1884,s.76(*3*) (C.P.)Act18,1889,s.53(*3*).

MUNICIPALITY—*cont.*

II.—AJMERE, LOWER BURMA AND CENTRAL PROVINCES—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*b*) *Buildings*—cont.

Unauthorised building over public sewer, drain, culvert, water-course or water-pipe — (Aj.)Reg.5,1886,s.103. (L.B.)Act17,1884,s.93. (C.P.)Act18,1889,s.71.

Attaching to building brackets for lamps — (Aj.)Reg.5,1886,s.81. (L.B.)Act17,1884,s.71. (C.P.)Act18,1889,s.48.

Numbering of buildings; penalty for defacing, etc., number — (Aj).Reg.5,1886,s.82. (L.B.)Act17,1884,s.72. (C.P.)Act18,1889,ss.49, 111.

See also below, (*c*), (*d*), (*g*), (*r*).

(*c*) *Dangerous Buildings and Places.*

Repair, protection or enclosure of dangerous building, well, tank or excavation — (Aj.)Reg.5,1886,s.106. (L.B.)Act17,1884,s.96. (C.P.)Act18,1889,s.74.

Removal or repair of ruinous or dangerous building, wall or structure — (Aj.)Reg.5,1886,s.107. (L.B.)Act17,1884,s.97. (C.P.)Act18,1889,s.75.

(*d*) *Buildings and Grounds in Insanitary Condition, etc.*

Cleansing of building for sanitary reasons — (Aj.)Reg.5,1886,s.94. (L.B.)Act17,1884,s.84. (C.P.)Act18,1889,s.62.

„ filthy building or land — (Aj.)Reg.5,1886,s.110. (L.B.)Act17,1884,s.100. (C.P.)Act18,1889,s.78.

Clearing away noxious vegetation or undergrowth — (Aj.)Reg.5,1886,s.108. (L.B.)Act17,1884,s.98. (C.P.)Act18,1889,s.76.

Cutting or trimming of hedges bordering on street or branches overhanging street or source of public water-supply — (Aj.)Reg.5,1886,s.109. (L.B.)Act17,1884,s.99. (C.P.)Act18,1889,s.77.

Power to prohibit use for human habitation of building unfit for such use; appeal — (Aj.)Reg.5,1886,ss.111, 120. (L.B.)Act17,1884,ss.101, 112. (C.P.)Act18,1889,ss.79, 91.

Prohibition or regulation of cultivation, use of manure or irrigation injurious to health; compensation; penalty — (Aj.)Reg.5,1886,s.113. (L.B.)Act17,1884,s.103. (C.P.)Act18,1889,ss.81, 119.

Securing or enclosing of untenanted building or land becoming a nuisance — (Aj.)Reg.5,1886,s.112. (L.B.)Act17,1884,s.102. (C.P.)Act18,1889,s.80,

MUNICIPALITY—*cont.*

II.—AJMERE, LOWER BURMA AND CENTRAL PROVINCES—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*e*) *Deposit and Removal of Rubbish and Offensive Matter.*

Places for deposit, and directions for removal - - - (Aj.) Reg.5,1886,s.88. (L.B.) Act17,1884,s.78. (C.P.) Act18,1889,s.55.

Penalty for keeping offensive matter more than 24 hours or not in proper receptacle - - - - - - - (Aj.) Reg.5,1886,s.123. (L.B.) Act17,1884,s.116. (C.P.) Act18,1889,s.94.

(*f*) *Drains, Latrines and other Receptacles for Filth.*

Municipal Fund applicable to construction, etc., of drains and latrines (Aj.) Reg.5,1886,s.69(2)(*a*). (L.B.) Act17,1884,s.61(2)(*a*). (C.P.) Act1 ,1889,s.37(2)(*a*).

Provision of privies or cesspools - - - - - (Aj.) Reg.5,1886,s.101(*1*). (C.P.) Act18,1889,s.69(*1*).

,, or removal of water-closet, latrine, urinal, privy, drain, cesspool, trap, sink or sullage-tray - - - (L.B.) Act17,1884,s.91(*1*) [am. Act21,1891,s.6].

,, and maintenance of latrines, etc., and urinals for workmen (Aj.) Reg.5,1886,s.101(*2*). (L.B.) Act17,1884,s.91(*2*) [am. Act21,1891,s.6]. (C.P.) Act18,1889,s.69(*2*).

Shutting out of privy from view, etc. - - - - (Aj.) Reg.5,1886,s.101(*3*). (C.P.) Act18,1889,s.69(*3*).

,, ,, of water-closet, latrine, urinal or privy from view, etc. - (L.B.) Act17,1884,s.91(*3*) [am. Act21,1891,s.6].

Repair or removal of privy, drain, etc. - - - - (Aj.) Reg.5,1886,s.102. (L.B.) Act17,1884,s.92 [am. Act21,1891,s.7]. (C.P.) Act18,1889,s.70.

Removal or closing of drain, latrine, urinal, cesspool or other receptacle near source of public water-supply; penalty - - - (Aj.) Reg.5,1886,ss.104, 125. (L.B.) Act17,1884,ss.94, 118. (C.P.) Act18,1889,ss.72, 96.

Unauthorised building over public sewer or drain - - - (Aj.) Reg.5,1886,s.103. (L.B.) Act17,1884,s.93. (C.P.) Act18.1889,s.71.

Making and maintaining drainage-connection with public sewer or drain - - - - - - - - - (L.B.) Act17,1884,s. 92A (ins. Act21, 1891,s.7).

Penalty for unlawfully—

depositing earth, materials or offensive matter in public sewer or drain - - - - - - - - (Aj.) Reg.5,1886,s.121. (L.B.) Act17,1884,s.113. (C.P.) Act18,1889,s.92.

MUNICIPALITY—*cont.*

II.—AJMERE, LOWER BURMA AND CENTRAL PROVINCES—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*f*) *Drains, Latrines and other Receptacles for Filth*—cont.

Penalty for unlawfully—*cont.*

allowing offensive matter to flow, etc., into sewer or drain — (Aj.)Reg.5,1886,s.122. (L.B.)Act17,1884,s.115. (C.P.)Act18,1889,s.93.

making or altering drain leading into public sewer or drain — (Aj.)Reg.5,1886,s.124. (L.B.)Act17,1884,s.117. (C.P.)Act18,1889,s.95.

making drain, latrine, urinal, cesspool or other receptacle near source of public water-supply — (Aj.)Reg.5,1886,s.125. (L.B.)Act17,1884,s.118. (C.P.)Act18,1889,s.96.

encroaching on public sewer or drain — (Aj.)Reg.5,1886,s.133. (L.B.)Act17,1884,s.124. (C.P.)Act18,1889,s.106.

Penalty for not keeping offensive matter in proper receptacle, or for suffering receptacle to be in filthy or noxious state or not cleansing same — (Aj.)Reg.5,1886,s.123. (L.B.)Act17,1884,s.116. (C.P.)Act18,1889,s.94.

See also below, (*r*).

(*g*) *Scavenging.*

Committee may provide for; entry of premises for purposes of — (Aj.)Reg.5,1886,s.98. (L.B.)Act17,1884,s.88. (C.P.)Act18,1889,s.66.

(*h*) *Slaughter-places.*

Places for slaughter of animals for sale; penalty for slaughtering elsewhere — (Aj.)Reg.5,1886,s.89. (L.B.)Act17,1884,s.79. (C.P.)Act18,1889,ss.56, 112.

Slaughter of animals for purposes other than sale, and conveyance of meat from place of slaughter; penalty — (C.P.)Act18,1889,ss.57, 113.

Power to inspect slaughter-house, and seize or destroy, etc., animal unfit for human consumption — (Aj.)Reg.5,1886,s.97. (L.B.)Act17,1884,s.87. (C.P.)Act18,1889,s.65(*1*).

„ make rules for inspection and regulation of slaughter-houses — (Aj.)Reg.5,1886,s.116(*e*). (L.B.)Act17,1884,s. 106(*e*).

„ „ „ establishment, maintenance, inspection and regulation of slaughter-houses — (C.P.)Act18,1889,s.84(*b*).

(*i*) *Bathing and Washing Places.*

Establishment and regulation of — (Aj.)Reg.5,1886,s.87. (L.B.)Act17,1884,s.77. (C.P.)Act18,1889,s.54.

MUNICIPALITY—*cont.*

II.—AJMERE, LOWER BURMA AND CENTRAL PROVINCES—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*j*) *Water-supply.*

Municipal Fund applicable to—

construction, etc., of tanks and water-courses - - - (Aj.)Reg.5,1886,s.69(2)(*a*). (L.B.)Act17,1884,s.61(2)(*a*). (C.P.)Act18,1889,s.37(2)(*a*).

supply, storage and preservation of water - - - (Aj.)Reg.5,1886,s.69(2)(*g*). (L.B.)Act17,1884,s.61(2)(*g*). (C.P.)Act18,1889,s.37(2)(*g*).

Unauthorized building over public water-course or water-pipe - (Aj.)Reg.5,1886,s.103. (L.B.)Act17,1884,s.93. (C.P.)Act18,1889,s.71.

Removal or closing of drain, latrine, etc., near source of public water-supply - - - - - - - - - (Aj.)Reg.5,1886,ss.104, 125. (L.B.)Act17,1884,ss.94, 118. (C.P.)Act18,1889,ss.72, 96.

Cleansing, repairing, covering, filling up or draining off private tank, well, reservoir, pool or excavation injurious to health or offensive; compensation - - - - - - (Aj.)Reg.5,1886,s.105. (L.B.)Act17,1884,s.95. (C.P.)Act18,1889,s.73.

Repair, protection or enclosure of dangerous well, tank or excavation - (Aj.)Reg.5,1886,s.106. (L.B.)Act17,1884,s.96. (C.P.)Act18,1889,s.74.

Cutting or trimming of branches overhanging source of public water-supply - - - - - - - - - (Aj.)Reg.5,1886,s.109. (L.B.)Act17,1884,s.99. (C.P.)Act18,1889,s.77.

Supervision and regulation of sources of public water-supply - (Aj.)Reg.5,1886,s.116(*h*). (L.B.)Act17,1884,s.106(*h*). (C.P.)Act18,1889,s.84(*k*).

Regulation and control of supply of water from public source to private premises - - - - - - - (C.P.)Act18,1889,s.84(*k*).

Penalty for unlawfully making drain, latrine, etc., near source of public water-supply - - - (Aj.)Reg.5,1886,s.125. (L.B.)Act17,1884,s.118. (C.P.)Act18,1889,s.96.

„ „ encroaching on public water-course - - (Aj.)Reg.5,1886,s.133. (L.B.)Act17,1884,s.124. (C.P.)Act18,1889,s.106.

„ throwing corpse or carcase into river, stream, well, etc. - (L.B.)Act17,1884,s.114.

Power to make rules regulating conservancy of reservoir and catchment area; penalty for breach of rule - - - - (C.P.)Act18,1889,s.142.

MUNICIPALITY—*cont.*

II.—AJMERE, LOWER BURMA AND CENTRAL PROVINCES—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*j*) *Water-supply*—cont.

Rangoon:

Definitions	Act19,1884,section2.
Royal Lake at Rangoon and certain tanks, etc., vested in Municipal Committee	,, s.3.
Construction and maintenance of water-works	,, ss.4to7.
Supply of water for domestic purposes	,, ss.8to14.
,, ,, for other than domestic purposes	,, s.18.
,, ,, in standpipes, for gratuitous use	,, s.15.
,, ,, for extinguishing fires and for cleansing drains and streets	,, ss.16,17.
,, ,, pressure of water	,, s.19.
Reciprocal rights of owners and occupiers as to supply of water to houses	,, ss.20to28.
Power of Local Government and Municipal Committee to make rules as to water-supply	,, ss.29to32.
Recovery of arrears of water-rent	,, s.33.
Power to cut off water for non-payment of water-dues	,, s.34.
Offences and penalties	,, ss.35to37.
Prosecutions by whom to be instituted	,, s.38.

(*k*) *Food, Drink and Drugs.*

Municipal Fund applicable to construction, etc., of markets	(Aj.)Reg.5,1886,s.69(*2*)(*c*). (L.B.)Act17,1884,s.61(*2*)(*c*). (C.P.)Act18,1889,s.87(*2*)(*c*).
Power to make rules for—	
inspection and regulation of markets	(Aj.)Reg.5,1886,s.116(*e*). (L.B.)Act17,1884,s.106(*e*).
prohibiting or controlling establishment or maintenance of markets, and inspecting and regulating the same	(C.P.)Act18,1889,s.84(*b*).
prohibiting the offering of meat for sale except at shop or stall or in market	,, ,, s.84(*l*).
Penalty for selling article of food or drink of a nature different from the article demanded	,, ,, s.116.
Compulsory sale of food or drink for purposes of analysis	,, ,, ss.65(*2*), 116(*3*),118.
Power to—	
inspect market or other place used for sale or storage of food or drink for man, or as a slaughter-house, or for the sale of drugs	(Aj.)Reg.5,1886,s.97.
seize or destroy, etc., article or animal unfit for human consumption, and	(L.B.)Act17,1884,s.87.
remove adulterated or noxious drug and bring same before Magistrate	(C.P.)Act18,1889,ss.65(*l*), 117.
Penalty for feeding dairy or slaughter animal on deleterious substance	(Aj.)Reg.5,1886,s.127. (L.B.)Act17,1884,s.120. (C.P.)Act18,1889,s.98.

See also below, (l).

MUNICIPALITY—*cont.*

II.—AJMERE, LOWER BURMA AND CENTRAL PROVINCES—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*l*) *Restraint of Infection.*

Penalty for—

making or selling food for man while suffering from infectious or contagious disease — (C.P.) Act 18, 1889, s. 109.

exposing person in street, public place or shop while suffering from dangerous infectious disorder —

entering public conveyance without notifying driver of infection, or — (L.B.) Act 17, 1884, s. 126.

exposing, selling, etc., bedding, etc., which has been exposed to infection —

Disinfection of public conveyances, and payment of cost thereof — „ „ ss. 126, 127.

Notices and precautions in case of infectious disease in lodging-house — (Aj.) Reg. 5, 1886, s. 116(*d*). (L.B.) Act 17, 1884, s. 106 (*d*).

(*m*) *Disposal of the Dead.*

Power of Committee to close existing burial or burning ground — (Aj.) Reg. 5, 1886, s. 90(*1*), (*2*). (L.B.) Act 17, 1884, s. 80(*1*), (*2*). (C.P.) Act 18, 1889, s. 58 (*1*), (*2*).

Permission of Committee required to forming of new burial or burning ground — (Aj.) Reg. 5, 1886, s. 90(*3*). (L.B.) Act 17, 1884, s. 80(*3*). (C.P.) Act 18, 1889, s. 58(*3*).

Penalty for burying or burning corpse in ground closed or ground formed without permission — (Aj.) Reg. 5, 1886, s. 90(*4*). (L.B.) Act 17, 1884, s. 80(*4*). (C.P.) Act 18, 1889, s. 114.

Control and regulation of use and management of burial and burning-grounds — (Aj.) Reg. 5, 1886, s. 116(*g*). L.B.) Act 17, 1884, s. 106(*g*). (C.P.) Act 18, 1889, s. 84(*e*).

Routes for removal of corpses — (Aj.) Reg. 5, 1886, s. 91. (L.B.) Act 17, 1884, s. 81. (C.P.) Act 18, 1889, s. 59.

Penalty for carrying corpse along prohibited route or so as to cause annoyance to public — (Aj.) Reg. 5, 1886, s. 136. (L.B.) Act 17, 1884, s. 129. (C.P.) Act 18, 1889, s. 115.

„ keeping corpse for more than 72 hours after death — (L.B.) Act 17, 1884, s. 129.

„ throwing corpse into river, stream, well, etc. — „ „ s. 114.

Appeal from orders relating to — (Aj.) Reg. 5, 1886, s. 120. (L.B.) Act 17, 1884, s. 112. (C.P.) Act 18, 1889, s. 91.

(*n*) *Offensive and Dangerous Trades.*

Regulation or prohibition of; penalty; appeal — (Aj.) Reg. 5, 1886, ss. 114, 115, 120. (L.B.) Act 17, 1884, ss. 104, 105, 112. (C.P.) Act 18, 1889, ss. 82, 83, 91, 120, 121.

MUNICIPALITY—*cont.*

II.—AJMERE, LOWER BURMA AND CENTRAL PROVINCES—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*n*) *Offensive and Dangerous Trades*—cont.

Consumption of smoke of furnaces in factory - - - (C.P.)Act18,1889,s.84(*f*).

(*o*) *Prevention of Fire.*

Power to prohibit—
use of inflammable materials in roof or external wall - - (Aj.)Reg.5,1886,s.83. (L.B.)Act17,1884,s.73. (C.P.)Act18,1889,s.50.
stacking or collecting dry grass, straw or other inflammable materials, or placing of mats or thatched huts, or lighting of fires, in any place - - - - - - (Aj.)Reg.5,1886,s.92. (L.B.)Act17,1884,s.82. (C.P.)Act18,1889,s.60.

Power to regulate or prohibit trading in hay, straw, thatching-grass, wood, wool or other dangerously inflammable material, or storing of kerosine, petroleum, naphtha or any inflammable oil or spirit or any explosive substance; appeal - - - - (Aj.)Reg.5,1886,ss.114, 115,120. (L.B.)Act17,1884,ss. 104,105,112. (C.P.)Act18,1889,ss.82, 83,91.

(*p*) *Dangerous Animals.*

Penalty for allowing dangerous dog to be at large unmuzzled in street or public place - - - - - (Aj.)Reg.5,1886,s.132. (L.B.)Act17,1884,s.123. (C.P.)Act18,1889,s.105.

„ not removing elephant or camel on approach of—
horse - - - - - - (Aj.)Reg.5,1886,s.130. (C.P.)Act18,1889,s.102.
vehicle drawn by bullocks - - - (C.P.)Act18,1889,s.102.

„ unlawfully taking elephant along street - - (Aj.)Reg.5,1886,s.131. (C.P.)Act18,1889,s.103.

(*q*) *Hackney-carriages, Boats, Job-horses, Porters, etc.*

Power to render licenses necessary for vehicles, boats or animals plying for hire - - - - - - (Aj.)Reg.5,1886,s.116(*a*). (L.B.)Act17,1884,s.106 (*a*). (C.P.)Act18,1889,s.84(*g*).

„ limit rates for hire of carriages, carts, boats or other conveyances, or of animals hired to carry loads, or for services of porters - - - - - - (Aj.)Reg.5,1886,s.116(*b*). (L.B.)Act17,1884,s.116 (*b*). (C.P.)Act18,1889,s.84(*h*).

„ limit loads to be carried by such conveyances, vehicles or porters - - - - - - (Aj.)Reg.5,1886,s.116(*b*). (L.B.)Act17,1884,s.106 (*b*).

Saving of vehicles to which Hackney-carriage Act, 1879, applies - (Aj.)Reg.5,1886,s.116, prov. (L.B.)Act17,1884,s.106, prov. (C.P.)Act18,1889,s.84(*i*).

Public conveyances. *See above*, (*l*).

MUNICIPALITY—*cont.*

II.—AJMERE, LOWER BURMA AND CENTRAL PROVINCES—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*r*) *Entry and Inspection.*

Power to enter building or land and inspect drains, privies or cesspools; opening of ground to prevent or remove nuisance; notice of entry; payment of expenses — (Aj.) Reg.5,1886,s.93. (L.B.) Act17,1884,s.83. (C.P.) Act18,1889,s.61.

„ enter building and direct cleansing for sanitary reasons; notice of entry — (Aj.) Reg.5,1886,s.94. (L.B.) Act17,1884,s.14. (C.P.) Act18,1889,s.62.

„ enter building or land for making survey or valuation, for examining works under construction, for ascertaining course of sewers or drains, or for executing or repairing work; notice of entry — (Aj.) Reg.5,1886,s.95. (L.B.) Act17,1884,s.85. (C.P.) Act18,1889,s.63.

„ enter for discovery of vehicles or animals liable to taxation — (Aj.) Reg.5,1886,s.96. (L.B.) Act17,1884,s.86. (C.P.) Act18,1889,s.64.

Entry for purposes of scavenging — (Aj.) Reg.5,1886,s.98(4). (L.B.) Act17,1884,s.88(2). (C.P.) Act18,1889,s.66(2).

Inspection of lodging-houses — (Aj.) Reg.5,1886,s.116(*d*). (L.B.) Act17,1884,s.106(*d*).

„ of encamping grounds, pounds, sarais or zayats, markets and slaughter-houses — (Aj.) Reg.5,1886,s.116(*e*). (L.B.) Act17,1884,s.106(*e*).

„ of wharves — (L.B.) Act17,1884,s.106(*c*).

Precautions to be observed in entering dwelling — (Aj.) Reg.5,1886,s.99. (L.B.) Act17,1884,s.89. (C.P.) Act18,1889,s.67.

(*s*) *Taking of Census, and Registration of Births, Marriages and Deaths.*

Municipal Fund applicable to — (Aj.) Reg.5,1886,s.69(2)(*i*). (L.B.) Act17,1884,s.91(2)(*i*). (C.P.) Act18,1889,s.37(2)(*i*).

Power to make bye-laws for—

taking census — (Aj.) Reg.5,1886,s.116(*c*). (L.B.) Act17,1884,s.106(*c*).

registration of births, marriages and deaths — (Aj.) Reg.5,1886,s.116(*c*). (L.B.) Act17,1884,s.106(*c*). (C.P.) Act18,1889,s.84(*i*).

(*t*) *Miscellaneous.*

Municipal Fund applicable to—

payment of expenses of pauper lunatics — (Aj.) Reg.5,1886,s.69(1). (L.B.) Act17,1884,s.61(1). (C.P.) Act18,1889,s.37(1).

„ of portion of cost of Provincial Departments for education, sanitation, vaccination, medical relief and public works —

MUNICIPALITY—*cont.*

II.—AJMERE, LOWER BURMA AND CENTRAL PROVINCES—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*t*) *Miscellaneous*—cont.

Municipal Fund applicable to—*cont.*

construction, etc., of schools, hospitals, dispensaries, etc., rest-houses, sarais or zayats, poor-houses, encamping-grounds, pounds and other works of public utility	(Aj.) Reg.5,1886,s.69 (2)(*c*). (L.B.) Act17,1884,s. 61(2)(*c*). (C.P.) Act18,1889,s.37 (2)(*c*).
„ of wharves	(L.B.) Act17,1884,s.61 (2)(*c*).
„ of recreation-grounds, gardens and parks	(C.P.) Act18,1889,s. 37(2)(*c*).
grants-in-aid to schools, hospitals, dispensaries, poor-houses, leper asylums, etc.	(*Aj.*) *Reg.5,1886,s.69(2).* (L.B.) Act17,1884,s.61(2). (C.P.) Act18,1889,s.37(*2*).
training of teachers and establishment of scholarships	
relief and relief works in time of famine or scarcity	
planting and preservation of trees	
public vaccination	
sanitary measures	
holding of fairs, etc.	
things likely to promote health, safety, welfare or convenience of inhabitants	(Aj.) Reg.5,1886,s.69(2)(*k*). (L.B.) Act17,1884,s.37(2) (*k*)[am. Act21, 1891,s.3]. (C.P.) Act18,1889,s.37(2) (*k*).
Fairs, etc.; holding of	(Aj.) Reg.5,1886,s.116(*f*). (L.B.) Act17,1884,s.106 (*f*).
Places of public entertainment and resort; inspection and regulation of	(C.P.) Act18,1889,s.84(*b*).
Lodging-houses; regulation, inspection, etc., of	(Aj.) Reg.5,1886,s.116(*d*). (L.B.) Act17,1884,s.106 (*d*).
„ regulation of	(C.P.) Act18,1889,s.84(*j*).
Sarais or zayats and encamping-grounds or halting-places:	
Inspection and regulation of	(Aj.) Reg.5,1886,s.116(*e*). (L.B.) Act17,1884,s.106 (*e*).
Establishment, maintenance, inspection and regulation of	(C.P.) Act18,1889,s.84(*b*).
Pounds; inspection and regulation of	(Aj.) Reg.5,1886,s.186(*e*). (L.B.) Act17,1884,s.106 (*e*).
Wharves „ „ „ „	(L.B.) Act17,1884,s.106 (*e*).
Brokers, measurers and weighmen; licensing and control of	(C.P.) Act18,1889,s.84(*c*).
Weights and measures; power to prescribe standards	„ „ s.84(*d*).
Nuisance; power to prohibit commission of	„ „ s.85.

MUNICIPALITY—*cont.*

II.—AJMERE, LOWER BURMA AND CENTRAL PROVINCES—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*t*) *Miscellaneous*—cont.

Nuisance; power to invest Committee with powers of District Magistrate under s. 133 of the Code of Criminal Procedure, 1882, for removal of nuisance, etc.; application of ss. 133 to 142 of Code - - - - (C.P.)Act18,1889,s.86.

„ delegation to sub-committee of powers under Act 18, 1889, ss. 85, 86 - - - - - - „ „ s.87.

Penalty for keeping animals so as—

to be injurious to health, or - - - (Aj.)Reg.5,1886,s.126. (C.P.)Act18,1889,s.97.

to become a nuisance - - - - (Aj.)Reg.5,1886,s.126. (L.B.)Act17,1884,s.119. (C.P.)Act18,1889,s.97.

„ discharging fire-arms, or letting off fire-works or fire-balloons, or engaging in dangerous game - - (Aj.)Reg.5,1886,s.129. (L.B.)Act17,1884,s.122. (C.P.)Act18,1889,s.101.

„ flying kites so as to cause danger, etc. - - - (C.P.)Act18,1889,s.101.

„ unlawfully beating drum or sounding musical instrument - - - - - - - „ „ s.104.

„ dangerous quarrying, blasting, cutting of timber or building - - - - - - (Aj.)Reg.5,1886,s.134. (L.B.)Act17,1884,s.125. (C.P.)Act18,1889,s.107.

7. Supplemental.

Rules; general power of Committee to make - - - (Aj.)Reg.5,1886,s.116(*1*). (L.B.)Act17,1884,s.106. (C.P.)Act18,1889,s.84(*1*).

„ „ „ of Local Government to make - - - (Aj.)Reg.5,1886,s.145. (L.B.)Act17,1884,s.143. (C.P.)Act18,1889,s.129.

„ penalty for breach of - - - - - (Aj.)Reg.5,1886,s.116(*2*). (L.B.)Act17,1884,s.107. (C.P.)Act18,1889,s.84(*2*).

„ confirmation and publication of - - - - (Aj.)Reg.5,1886,ss.116(*3*), 150(*2*). (L.B.)Act17,1884,ss.27 (*2*),108,148(*2*). (C.P.)Act18,1889,s.84(*3*).

„ to be published in draft - - - - - (Aj.)Reg.5,1886,s.150. (L.B.)Act17,1884,s.148. (C.P.)Act18,1889,s.141.

Notice to fix reasonable time for doing act; Magistrate to determine whether time fixed is reasonable - - - (Aj.)Reg.5,1886,ss.117 (*1*),138,prov. (L.B.)Act17,1884,ss.109 (*1*),131,prov. (C.P.)Act18,1889,ss.88 (*1*),122,prov.

„ authentication of - - - - - - (C.P.)Act18,1889,s.131 (*1*). (L.B.)Act17,1884,s.151(*1*).

MUNICIPALITY—*cont.*

II.—AJMERE, LOWER BURMA AND CENTRAL PROVINCES—*cont.*

7. Supplemental—*cont.*

Notice; service of - - - - - - - (C.P.)Act18,1889,ss.131 132. (L.B.)Act17,1884,ss.151, 152.

„ publication of - - - - - - (Aj.)Reg.5,1886,s.145(2). (L.B.)Act17,1884,s.153. (C.P.)Act18,1889,s.133.

„ not invalid for defect of form - - - - (C.P.)Act18,1889,s.131(5). (L.B.)Act17,1884,s.151 (5).

„ when not complied with, Committee may perform act - (Aj.)Reg.5,1886,s.117(2). (L.B.)Act17,1884,s.92A (2)[ins.Act21,1891, s.7],s.109(2). (C.P.)Act18,1889,s.88(2).

„ penalty for not complying with notice or conditions - (Aj.)Reg.5,1886,s.138. (L.B.)Act17,1884,s.131. (C.P.)Act18,1889,s.122.

Recovery of cost of work executed by Committee in default of owner or occupier; deduction from rent of sum paid by occupier; saving of contracts - - - - (Aj.)Reg.5,1886,s.118. (L.B.)Act17,1884,s.92A (2)[ins.Act21,1891, s.7],110. (C.P.)Act18,1889,s.89.

„ of moneys claimable by Committee - - - (Aj.)Reg.5,1886,s.153. (L.B.)Act17,1884,s.150.

Compensation when payable out of Municipal Fund; application of procedure of Land Acquisition Act for settlement of disputes - (Aj.)Reg.5,1886,s.119. (L.B.)Act17,1884,s.111. (C.P.)Act18,1889,s.90.

Appeal from orders of Committee; limitation - - - (Aj.)Reg.5,1886,s.120. (L.B.)Act17,1884,s.112. (C.P.)Act18,1889,s.91.

„ suspension of action pending - - - - (Aj.)Reg.5,1886,s.139. (L.B.)Act17,1884,s.132. (C.P.)Act18,1889,s.123.

Prosecutions by whom to be initiated - - - - (Aj.)Reg.5,1886,s.151. (L.B.)Act17,1884,s.145. (C.P.)Act18,1889,s.139.

„ under other laws not barred, but only one punishment allowed - - - - - (Aj.)Reg.5,1886,s.152. (L.B.)Act17,1884,s.147.

Judge or Magistrate not to be deemed interested in prosecution by reason of being Member of Committee - - - - (L.B.)Act17,1884,s.146. (C.P.)Act18,1889,s.144.

Saving of Local Authorities Loan Act, 1879 - - - (Aj.)Reg.5,1886,s.159. (L.B.)Act17,1884,s.159. (C.P.)Act18,1889,s.143.

Decision of question whether persons are "inhabitants" - - (L.B.)Act17,1884,s.161.

Vacancies and irregularities not to invalidate proceedings - - (Aj.)Reg.5,1886,ss.48,161 (C.P.)Act18,1889,ss.31, 131(5),147. (L.B.)Act17,1884,ss.30, 49,151(5).

MUNICIPALITY—*cont.*

II.—AJMERE, LOWER BURMA AND CENTRAL PROVINCES—*cont.*

7. Supplemental—*cont.*

Powers of Government exerciseable from time to time - - { (Aj.)Reg.5,1886,s.158. (L.B.)Act17,1884,s.160.

III.—UPPER BURMA.

1. Preliminary.

Definition of "Committee" - - - - - Reg.5,1887,section2.

2. Constitution and Government.

Procedure for constituting municipality - - - - „ s.3.
Power to appoint and remove President, Vice-President and other members - - - - - - „ s.4.
„ to make rules as to conduct of business - - - „ s.11.
„ to make rules as to appointment, salaries, duties, suspension and removal of officers and servants - - „ s.11.
„ of Local Government—
to control Committee - - - - „ s.15.
to make rules - - - - - - „ s.13.

3. Taxation.

Power to impose taxes; procedure - - - - - „ s.5.
„ of Local Government to abolish, remit or reduce tax - - „ s.15.
„ to make rules as to assessment and collection of taxes - „ s.6.
Recovery of taxes by distress and sale - - - - - „ s.7.

4. Municipal Fund and Property.

Municipal Fund; constitution and custody of; authority on which payments may be made from - - - „ s.8.
„ „ application of - - - - - „ ss.8to10.
„ „ accounts, estimates and sanction to expenditure - „ s.13(*a*),(*b*),(*c*).
Contract; mode of executing - - - - - - „ s.17.
„ member of Committee not personally liable for - - „ s.18(*1*).
„ penalty on member or servant of Committee being interested in contract made with Committee - - „ s.20.
Suits by or against Committee to be instituted in name of President „ s.16.
„ against Committee or officer thereof, etc.: notice; notice of, and limitation for - - - - - - „ s.19.
Liability of member of Committee for loss, waste or misapplication of money or property entrusted to Committee - - - „ s.18(*2*).
Transfer of public ferry to Municipal Committee - - - Act2,1873,s.4.

5. Police.

Committee to provide, out of Municipal Fund - - - Reg.5,1887,ss.9(*a*),10.

6. The Public Health, Safety and Convenience.

Committee to keep public streets, roads, drains, tanks and watercourses clean and in repair - - - - - - „ ss.9(*b*),10.
Power to make rules for regulating materials used in building or thatching houses and for preventing fire - - - - „ s.12(*d*).
Registrations of births and deaths; power to make rules for - „ s.12(*e*).

MUNICIPALITY—*cont.*

III.—UPPER BURMA—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

Power to construct, repair and maintain local public works of general utility	Reg.5,1887,sec.9(*c*).
Power to establish or aid schools or otherwise promote education	„ s.9(*d*).
Nuisances ; power to make rules defining	„ s.12(*a*).
„ power of entry for detection and abatement of	„ ss.12(*b*),14.
Bazars ; power to control establishment of	„ s.12(*c*).
Power to do acts calculated to promote health, comfort or interests of inhabitants	„ s.9(*e*).

7. Supplemental.

Rules ; power to make	„	ss.6,11,12,13.
„ penalty for breach of	„	s.21.
Prosecutions by whom to be initiated	„	s.22.

ASSAM.

Transfer of public ferry to Municipal Commissioners	Act17,1878,s.7.
Power to assign to Municipal Commissioners functions and powers of Government Officers as to granting and withdrawing licenses for sale of liquor and intoxicating drugs	Ben.Act7,1878,s.84.
Power of Municipal Commissioners to keep registers of births and deaths. *See* REGISTRATION OF BIRTHS, ETC., B, 1.	

IV.—ASSAM (EXCEPT THREE TOWNS).[1]

A.—MUNICIPALITIES PROPER.

1. Preliminary.

Definitions	Ben.Act5,1876,section6.

2. Constitution and Government.

(*a*) *Constitution of Municipalities.*

Places in which former law in force to become municipalities	„	s.3.
Procedure for constituting new municipality	„	ss.8,9,11,12.
Power to transfer municipality from one class to another	„	s.10.
Uniting of places with municipality	„	ss.13,14.

(*b*) *Constitution of Municipal Commission.*

Appointment and election of Commissioners; *ex-officio* Commissioner ; resignation and removal of Commissioners; tenure of office ; retirement by rotation	„	ss.15to28.
Chairman and Vice-Chairman	„	ss.18,29,30.
Incorporation of Commissioners	„	s.31.

(*c*) *Conduct of Business.*

Meetings of Commissioners ; minutes of proceedings	„	ss.40to45,313(*a*).
Powers of Chairman; delegation of his powers or duties to Vice-Chairman	„	ss.46,47.

[1] Ben. Act 5, 1876, has been extended to Assam by notification under the Scheduled Districts Act, 1874, but has been repealed in the towns of Dibrugarh, Gauhati and Sylhet by Ben. Act 3, 1864, which has been extended to hose towns by notification under the said Scheduled Districts Act.

MUNICIPALITY—*cont.*

IV.—ASSAM (EXCEPT THREE TOWNS)—*cont.*

A.—MUNICIPALITIES PROPER—*cont.*

2. Constitution and Government—*cont.*

(*c*) *Conduct of Business*—cont.

Ward Committees: appointment or election of; powers of; conduct of business by; control over — Ben. Act 5, 1876, ss. 50 to 55.

Commissioner or member of Ward Committee not to vote on question affecting himself — " s. 58.

(*d*) *Officers and Servants.*

Appointment, salaries, leave-allowances and removal of — " s. 48.

Power to take security from — " s. 49.

Mehters, etc., to give one month's notice of withdrawal from duties — " s. 195.

Power to make bye-laws as to conduct of — " s. 313(*c*).

Penalty for taking bribe — " s. 377.

(*e*) *General Powers of Official Control.*

Annual report of Commissioners' proceedings; audit of accounts — " ss. 72, 73.

Power of Commissioner of Division to appoint Committee to report on state of municipality when Commissioners have failed in their duty; power of Local Government to direct District Magistrate to raise funds and execute Chapter II of Part X of Act in default of Commissioners — " s. 318.

3. Taxation.

Taxes authorised by Act to be deemed to have been imposed in municipalities which were governed under laws repealed by Act — " s. 7.

Taxes which may be imposed — " ss. 77, 78, 81, 82, 122, 133, 142, 149, 151, Sch. II.

" not invalid for defect of form — " s. 369.

Power to make bye-laws as to collection of taxes — " s. 313(*b*.)

Tax on persons occupying Holdings, and Rate on Holdings:

Assessment, payment and recovery of; distress and sale; suits — " ss. 79 to 121, Schs. I, II.

Tax on Carriages, Horses and other Animals:

Order for imposition of tax; licenses; compounding; list of licenses; entry and inspection; refund of tax — " ss. 122 to 132.

Registration of Carts:

Order for registration; procedure for registration; fee; seizure and sale of unregistered cart — " ss. 133 to 138.

Tolls on Ferries, Bridges and Roads:

Ferries: order for levy of tolls; toll not leviable unless ferry used; toll to be prepaid; prohibition of private ferries near municipal ferry — " ss. 142 to 147.

Bridges and roads: power to establish toll-bars; power to levy tolls; publication of accounts; cessation of levy of tolls; order for levy of tolls; toll to be prepaid; seizure and sale of property for recovery of toll — " ss. 149 to 154.

MUNICIPALITY—*cont.*

IV.—ASSAM (EXCEPT THREE TOWNS)—*cont.*

A.—MUNICIPALITIES PROPER—*cont.*

3. **Taxation**—*cont.*

Tolls on Ferries, Bridges and Roads—*cont.* :
Leasing : exhibition of table of tolls ; compounding for tolls ; police to assist in case of non-payment of toll ; penalty for taking unauthorised toll - - - - - Ben. Act 5, 18 76, ss. 144 155 to 158, 160, 161.
Exemptions from taxation :
Tax on persons occupying Holdings :
Not to be levied in respect of arable land or building used for worship - - „ s. 79.
„ „ public building - - „ s. 81.
Power to exempt persons on ground of poverty - - „ s. 83.
Exemption when holding vacant - - - - „ s. 87.
Rate on Holdings :
Holding used as place of worship exempted - - „ s. 90.
Power to reduce or remit rate on ground of hardship - „ s. 97.
Remission or refund when holding vacant - - - „ ss. 101, 102.
Tax on Carriages, Horses and other Animals :
Certain property exempted - - - - - „ s. 112.
Registration of Carts :
Certain carts exempted - - - - - „ s. 133.
Tolls on Ferries, Bridges and Roads :
Certain property exempted - - - - - „ s. 159.

4. **Funds and Property.**

Municipal Fund : constitution of - - - - - „ s. 59.
„ „ application of - - - - - „ ss. 59 to 62.
„ „ expenditure outside municipality - - - „ s. 62.
„ „ accounts - - - - - - - „ ss. 63, 70, 73, 74.
„ „ estimates - - - - - - „ ss. 64 to 71, 167 to 179.
„ „ payment of cost of establishments in office of District Magistrate - - - - „ s. 74.
„ „ custody and investment of - - - „ s. 75.
„ „ authority on which payments may be made from - „ s. 76.
Market Fund : constitution and application of - - - „ s. 301.
Municipal property ; property vested in Commissioners or Committees under former laws to vest in Commissioners constituted under this Act - „ s. 4.
„ „ vesting of property in, and transfer of property to, Commissioners - - - „ ss. 32 to 35.
„ „ acquisition and transfer of land by Commissioners - - - - - „ ss. 36 to 38.
„ „ power to assign public ferries to Commissioners - - - - - „ s. 139.
„ „ power of Commissioners to declare private ferries to be municipal ferries ; compensation - „ s. 140
„ „ maintenance and working of ferries - - „ s. 141.
„ „ power to assign toll-bar to Commissioners - „ s. 148.

MUNICIPALITY—*cont.*

IV.—ASSAM (EXCEPT THREE TOWNS)—*cont.*

A.—MUNICIPALITIES PROPER—*cont.*

4. Funds and Property—*cont.*

Municipal property: rubbish and offensive matter collected by Commissioners to belong to them	Ben. Act 5, 1876,	ss.177, 178, 206
Contracts: power to make; mode of executing	„	s.39.
Liability of Commissioners and Ward Committees; penalty on their being interested in contract made with Commissioners	„	ss.56, 57.
Suits against Commissioners, etc.: notice; limitation; tender of amends	„	s.374.

5. Police.

Police to be appointed under Act 5, 1861	„	s.164.
Employment of, beyond municipality	„	ss.165, 166.
Estimates of income and expenditure on account of	„	ss.167 to 173.
Monthly bill for expenses of	„	s.173.
Investment of District Magistrate with powers of District Superintendent of Police	„	s.174.
Police-officers to assist—		
in seizure of unregistered cart	„	s.138.
in case of resistance to collection of toll	„	s.160.
Police-officers to report offences, and may arrest offenders; disposal of persons arrested	„	s.376.

6. The Public Health, Safety and Convenience.

(*a*) *Roads, etc.*
(*b*) *Buildings.*
(*c*) *Dangerous Buildings and Places.*
(*d*) *Buildings, Grounds, etc., in Insanitary Condition, etc.*
(*e*) *Deposit and Removal of Rubbish and Offensive Matter.*
(*f*) *Drains, Latrines and other Receptacles for Filth.*
(*g*) *Bathing and Washing Places.*
(*h*) *Water-supply.*
(*i*) *Food, Drink and Drugs.*
(*j*) *Disposal of the Dead.*
(*k*) *Offensive and Dangerous Trades.*
(*l*) *Prevention and Extinction of Fire.*
(*m*) *Stables, Cattle-yards, etc.*
(*n*) *Registration of Births and Deaths.*
(*o*) *Miscellaneous.*

(*a*) *Roads, etc.*

Provisions applicable generally:

Commissioners to maintain and repair public roads, bridges and embankments, and may maintain, etc., other roads, bridges and embankments	Ben. Act 5, 1876,	s.61.
Municipal Fund applicable to lighting and watering of roads		
Power to close road temporarily; steps to be taken to prevent accident during repairs	„	s.213.
Removal of wall, fence or other obstruction or encroachment on road, and of projections from houses; penalty	„	ss.215 to 220.
Trimming of hedges or trees bordering on or overhanging road; penalty	„	ss.222, 223.
Naming of roads; penalty for defacing, etc., name	„	s.232.
Power to make bye-laws for regulating traffic	„	s.313.

MUNICIPALITY—*cont.*

IV.—ASSAM (EXCEPT THREE TOWNS)—*cont.*

A.—MUNICIPALITIES PROPER—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*a*) *Roads, etc.*—cont.

Provisions applicable to selected municipalities only:

Removal of projections from houses; compensation	Ben. Act 5, 1876,	ss.251,252.
Power to allow deposit of moveables, making of excavation, etc., in road	„	s.253.
Hoards to be set up during repairs, etc.; penalty	„	ss.254,255.
Penalty for throwing offensive matter on to road, or allowing offensive matter to run, etc., on to road	„	ss.236,237.

(*b*) *Buildings.*

Provisions applicable generally:

Setting back house to regular line of road; compensation; penalty	„	ss.221,223.
Numbering of houses; penalty for defacing, etc., number	„	s.232.

Provisions applicable to selected municipalities only:

Removal of projections from houses; compensation	„	ss.251,252.
Power to prohibit use of inflammable materials in external roofs and walls	„	s.256.
Notice of new building; powers of Commissioners	„	ss.257,260.
Erection, etc., of huts or sheds, under control of Commissioners; penalty	„	ss.261,263.

See also below, (*c*), (*d*).

(*c*) *Dangerous Buildings and Places.*

Provisions applicable generally:

Securing and protection of dangerous well, tank or excavation; penalty	„	ss.224,225.
Repair or renewal of ruinous or dangerous house, etc.; penalty	„	ss.226,227,229.

(*d*) *Buildings, Grounds, etc., in Insanitary Condition, etc.*

Provisions applicable generally:

Power to require removal of noxious vegetation or draining of land; acquisition of land; compensation; penalty	„	ss.204,205.

Provisions applicable to selected municipalities only:

Block of huts causing risk of disease: inspection and report by medical officers; execution of works for removal of such risk, and recovery of expenses; sale of materials if huts pulled down; powers of Local Government in default of Commissioners	„	ss.264to270.

(*e*) *Deposit and Removal of Rubbish and Offensive Matter.*

Provisions applicable generally:

Establishments, carts, etc., for removal; time of removal; places for deposit; penalties	„	ss.193,194, 196to198.
Power to make bye-laws as to disposal of offensive matters, carcasses, etc.	„	s.313.

(*f*) *Drains, Latrines and other Receptacles for Filth.*

Provisions applicable generally:

Commissioners to maintain and repair drains, privies, latrines and urinals vested in them, and may construct, etc., others	„	s.61.

MUNICIPALITY—*cont.*

IV.—ASSAM (EXCEPT THREE TOWNS)—*cont.*

A.—MUNICIPALITIES PROPER—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*f*) *Drains, Latrines and other Receptacles for Filth*—cont.

Provisions applicable generally—*cont.*:

Drains, privies and cesspools:

Control over and inspection of; opening of ground, and payment of expenses — Ben. Act 5, 1876, ss.199,200.

Penalty for not keeping in proper state — „ s.203.

Provision and maintenance, or licensing, of common necessaries; penalty — „ ss.201,202.

Existing public sewers, drains and other conservancy works to be under control of Commissioners; power to construct new works — „ s.207.

Penalty for encroaching on drain or sewer — „ s.214.

Power to make bye-laws for regulation of privies and cesspools — „ s.313.

Provisions applicable to selected municipalities only:

Drains; repair of; penalty — „ s.235.

„ unlawfully making or altering drain leading into public sewer or drain; penalty — „ ss.240,241.

„ provision of drainage; penalty — „ ss.242,243.

„ alteration, etc., of drain improperly made — „ s.244.

„ penalty for throwing, etc., offensive matter, etc., into sewer or drain — „ s.236.

„ „ for unlawfully constructing, etc., drain — „ s.245.

Unlawful construction or keeping of drain, latrine, etc., near tank or water-course; penalty — „ ss.246,248.

Privies and cesspools: regulation of; penalties — „ ss.235,238, 239,244 to248.

(*g*) *Bathing and Washing Places.*

Provisions applicable generally:

Power to set apart tanks, etc., for bathing and washing — „ s.209.

(*h*) *Water-supply.*

Provisions applicable generally:

Commissioners to maintain and repair tanks, ghats, wells and channels vested in them, and may maintain, etc., other tanks, etc. — „ s.61.

Municipal Fund applicable to supply of water — „

Public streams, channels, tanks, etc., to be under control of Commissioners — „ s.208.

Power to set apart tanks, etc., for supply of water for drinking and culinary purposes, and to prohibit fouling of water; penalty — „ ss.209,210.

Cleansing or draining-off of injurious or offensive tank, pool or stagnant water; acquisition of land; compensation; penalty — „ ss.211,212.

Provisions applicable to selected municipalities only:

Unlawful construction or keeping of drain, latrine, etc., near tank or water-course; penalty — „ ss.246,248.

MUNICIPALITY—*cont.*

IV.—ASSAM (EXCEPT THREE TOWNS)—*cont.*

A.—MUNICIPALITIES PROPER—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*i*) *Food, Drink and Drugs.*

Provisions applicable to selected municipalities only :

Drainage, paving and water-supply for places for sale of food and for slaughter-houses ; penalty	Ben. Act 5, 1876,	ss.271,272.
Entry, under Magistrate's warrant, of premises where article of food or drink unfit for human consumption is offered for sale ; search for, and seizure and disposal of article	„	s.273.
Power of Commissioners to enter and inspect market, shop, building, etc., used for sale of articles of food, or place used as slaughter-house, and to seize, destroy, etc., articles unfit for food	„	s.274.
Licensing of shops for sale of meat	„	ss.285,286.
Definition of "municipal market" and "market"	„	s.302.
Power to provide municipal market or take lease of market, and charge rents, tolls and fees ; recovery of rents, etc.	„	s.300.
Market Fund : constitution and application of	„	s.301.
Licensing and registration of markets	„	ss.303to310.
Penalty for using, and closing of, unlicensed market	„	ss.311,312.
Power to make bye-laws for regulation of markets	„	s.313.
Drugs : registration of places for sale of drugs ; penalty	„	ss.275,276.
„ entry and inspection of places for sale of drugs ; removal and disposal of adulterated drugs ; compensation	„	s.277.

(*j*) *Disposal of the Dead.*

Provisions applicable to selected municipalities only :

Burial and burning-grounds :		
Power to provide	„	s.283.
Registration of	„	s.278.
Prohibition of use of unregistered ground ; penalty	„	ss.281,282.
Permission required to making, etc., of	„	s.279.
Power to close	„	s.280.
Power of Commissioners to bury or burn corpses of paupers free of charge	„	s.284.

(*k*) *Offensive and Dangerous Trades.*

Provisions applicable to selected municipalities only :

Licensing of places for carrying on ; penalty	„	ss.285,286.
Power to direct discontinuance of ; penalty	„	ss.287,288.

(*l*) *Prevention and Extinction of Fire.*

Provisions applicable to selected municipalities only :

Licensing of yards or depôts for trade in hay, straw, wood, thatching-grass, jute or other dangerously inflammable material, and of store-houses for kerosine, petroleum, naphtha or any inflammable oil or spirit or explosive substance	„	ss.285,286.

See also above, (*b*).

MUNICIPALITY —*cont.*

IV.—ASSAM (EXCEPT THREE TOWNS)—*cont.*

A.—MUNICIPALITIES PROPER—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*m*) *Stables, Cattle-yards, etc.*

Provisions applicable to selected municipalities only :
Licensing of places for keeping horses, ponies or cattle ; penalties — Ben. Act 5, 1876, ss. 289 to 291.

(*n*) *Registration of Births and Deaths.*

Provisions applicable generally :
Power to require Commissioners to register births and deaths in accordance with Ben. Act 4, 1873 — „ — s.295.
Appointment of sub-registrars at burial or burning-ground ; furnishing of particulars to them for registration — „ — ss.296,297.
Medical officers to send to Commissioners notice of deaths in hospital — „ — s.298.
Power to make bye-laws as to — „ — s.313.

(*o*) *Miscellaneous.*

Provisions applicable generally :
Commissioners to maintain and repair certain wharves and jetties, and may construct, etc., others
Municipal Fund applicable to—
construction, etc., of squares and gardens
erection and maintenance of offices, etc.
construction and repair of school-houses
establishment and maintenance of schools, hospitals and dispensaries
promotion of vaccination
— „ — s.61.
Power to destroy stray dogs — „ — s.230.
„ offer rewards for destruction of noxious animals — „ — s.231.
„ make bye-laws for regulating use of fire-arms, fire-works, fire-balloons, etc. — „ — s.313
Nuisances, public ; power to direct prosecution for — „ — s.316.
„ saving of suits for — „ — s.378.
Application of Part II of the Village Chaukidari Act, 1870, to municipalities ; duties of Municipal Commissioners — „ — s.375.
Provisions applicable to selected municipalities only :
Power to prohibit excavations ; penalty — „ — ss.249,250.
Licensing of serais ; penalty — „ — ss.285,286.
Restrictions on keeping of pigs, sheep or goats ; penalty — „ — ss.292,293.

7. Supplemental.

Provisions applicable generally :
Power of Local Government to withdraw Part VI (sections 177 to 232), or any portion thereof, from any municipality or part thereof — „ — ss.177,178.
Rules ; power to make — „ — ss.16,51,69.
Bye-laws ; power to make ; penalties for breach of — „ — ss.313,315.
„ confirmation of — „ — s.314.
„ final publication of — „ — s.365.

MUNICIPALITY—*cont.*

IV.—ASSAM (EXCEPT THREE TOWNS)—*cont.*

A.—MUNICIPALITIES PROPER—*cont.*

7. Supplemental—*cont.*

Provisions applicable generally—*cont.*:

Requisition for execution of work by owner or occupier how to be made and served; making and disposal of objections to execution; execution by Commissioners in default of owner or occupier, and payment and apportionment of expenses; recovery of expenses by occupier from owner — Ben. Act 5, 1876, secs. 179 to 186, 188.

Limitation of liability of managers, agents and trustees — „ s.6(*14*).

Recovery of moneys due to Commissioners — „ ss.187,371,372.

Reference to Civil Court for determination of amount payable by owner or occupier or determination and apportionment of damages or compensation; procedure of Court; costs — „ ss.189 to 191.

Recovery of damages or compensation by distress and sale — „ s.192.

Power of Commissioners to take possession of building repaired by them until expense of repairs be paid — „ s.228.

Power of Commissioners to pay compensation — „ s.373.

Notices and other documents; publication and service of — „ ss.365,367.

Notice; service of, on owner or occupier — „ s.368.

Production of licenses — „ s.370.

Prosecution: power to direct; expenses of — „ s.316.

„ initiation and limitation of — „ s.317.

Fines; levy of — „ s.366.

Irregularities not to invalidate proceedings — „ ss.119,369.

Provisions applicable to selected municipalities only:

Parts VII and IX (ss. 233 to 294, 299 to 312) to apply only to municipalities to which extended by Local Government; procedure for extension — „ ss.233,234,299.

Power to suspend or cancel license — „ s.294.

B.—UNIONS.

Places in which Act 20, 1856, in force to become Unions under Act — „ s.3.

Power of Local Government—

to extend Chapter III (ss. 319 to 350) to city, town, suburb or bazar, and to form Unions — „ ss.320,322.

to define and vary limits of Union, and withdraw Union from operation of Chapter III — „ ss.321,323.

Continuance of taxes imposed under Act 20, 1856 — „ s.319.

Assessment and levy of tax to pay expenses of Police and of cleansing and improving Union — „ ss.323,324,327, 329 to 339, Sch. IV.

Constitution and application of Union Fund — „ s.325.

Estimates — „ s.326.

Constitution of Panchayat for assessment of tax; duration of service; removal of members and filling of casual vacancies — „ ss.328,341 to 343.

Power of Magistrate to assume functions of Panchayat — s.340.

Appointment and duties of Sadr Panchayat — „ s.344.

„ of Tax Collectors and establishments — „ s.345.

Collection and recovery of tax — „ ss.346,347.

Naming of streets and numbering of houses — „ s.349.

MUNICIPALITY—*cont.*

IV.—ASSAM (EXCEPT THREE TOWNS)—*cont.*

B.—UNIONS—*cont.*

Provisions of Chapter II, Part V (ss. 164 to 176), of Act as to Police, applied, with modifications, to Unions	Ben. Act 5, 1876,	section 348.
Provisions of Chapters I and V (ss. 1 to 6, 365 to 378) of Act applied to Unions	,,	s. 350.

C.—STATIONS.

Places in which Act 26, 1850, in force to become Stations under Act	,,	s. 3.
Power of Local Government to extend Chapter IV (ss. 351 to 364) to town or suburb	,,	ss. 352 to 355.
Local Government to appoint Commissioners for Station	,,	s. 356.
Vesting in Commissioners of property held under Act 26, 1850	,,	s. 4.
Continuance of taxes imposed under Act 26, 1850	,,	s. 351.
Power of Commissioners to make rules as to taxation and administration generally	,,	ss. 356, 357.
Constitution and application of Station Fund	,,	ss. 358, 359.
Power of Commissioners to make contracts	,,	s. 359.
Liability of Commissioners	,,	s. 360.
Recovery of taxes and sums due to Commissioners; application of ss. 111 to 120 of Act	,,	s. 361.
Annual report by Commissioners to Local Government	,,	s. 362.
Power of Local Government to suspend operation of Chapter IV (ss. 351 to 364) and appoint person to report on behaviour of Commissioners	,,	s. 363.
Provisions of Chapters I and V (ss. 1 to 6, 365 to 378) of Act applied to Stations	,,	s. 364.

BENGAL.

Power to assign to Municipal Commissioners functions and powers of Government officers as to granting and withdrawing licenses for sale of liquor and intoxicating drugs	Ben. Act 7, 1878,	s. 84.

Power of Municipal Commissioners to keep registers of births and deaths. *See* REGISTRATION OF BIRTHS, ETC., B, 1.

Powers, etc., of Municipal Commissioners under Fire Brigade Act. *See* FIRE.

Powers, etc., of Municipal Commissioners under Bengal Sanitary Drainage Act, 1895. *See* DRAINAGE, I, C, 3.

Powers of Municipal Commissioners. *See* LEPER.

V.—BENGAL (EXCEPT CALCUTTA), AND THREE TOWNS IN ASSAM.[1]

1. Preliminary.

Definitions	Ben. Act 3, 1884,	sec. 2 (am. Ben. Act 4, 1894, s. 2), s. 6 (am. Ben. Act 4, 1894, s. 3), s. 15 (am. Ben. Act

[1] Ben. Act 3 of 1884, as amended by Ben. Acts 3 of 1886, 4 of 1894, 6 of 1894 and 2 of 1896, has been extended to the towns of Dibrugarh, Gauhati and Sylhet in Assam by notification under the Scheduled Districts Act, 1874.

MUNICIPALITY—*cont.*

V.—BENGAL (EXCEPT CALCUTTA), AND THREE TOWNS IN ASSAM—*cont.*

1. Preliminary—*cont.*

Definitions—*cont.* — 4,1894,s.7,and Ben.Act2, 1896,s.3), ss.141B,147B (ins.Ben. Act2,1896, ss.10,11), ss.240,288,336.

Ben. Act 3, 1884, declared in force in the Santhál Parganas — Reg.3,1872,s.3(am.Reg.3 1886)

2. Constitution and Government.

(*a*) *Constitution of Municipalities.*

Procedure for constituting municipality — Ben.Act3,1884,secs.5,8,10 Schs.I,II(rep. in pt.Ben. Act2,1888).

Power to withdraw municipality from operation of Act, to alter limits of municipality, to sub-divide municipality into two or more municipalities, or to unite two or more municipalities into one — „ ss.9,9A(am. Ben.Act4, 1894,s.4).

Consolidation or apportionment of Municipal funds and property when union or sub-division effected — „ s.9B(ins.Ben. Act4,1894,s.4).

Municipalities excluded from jurisdiction of Local Boards, etc. — Ben.Act3,1885,s.1.

(*b*) *Constitution of Municipal Commission.*

Number of Commissioners — Ben. Act3, 1884, sec.9(am. Ben.Act4,1894, s.4),s.13.

Election of Commissioners — „ s.14,s.15(am. Ben.Act4,1894, s.7 ;Ben.Act 2,1896,s.3), s.16.

Appointment of Commissioners — „ s.14(am.Ben. Act4,1894,s.6), s.16,s.17(am. Ben.Act4,1894, s.8),Sch.I.

Term of office of Commissioners — „ ss.21,26(am. Ben.Act4,1894, s.15).

Power to remove Commissioners; consent of Local Government required to their re-election — „ ss.19,20,22(am. Ben.Act4,1894, ss.10,11).

Incorporation of Commissioners — „ s.29.

Chairman and Vice-Chairman:

Appointment or election of Chairman; election of Vice-Chairman; removal; term of office — „ ss.23to26 (am.Ben.Act4, 1894,ss.12,13, 15),s.26A(ins

MUNICIPALITY—*cont.*

V.—BENGAL (EXCEPT CALCUTTA), AND THREE TOWNS IN ASSAM—*cont.*

2. Constitution and Government—*cont.*

(*b*) *Constitution of Municipal Commission*—cont.

Chairman and Vice-Chairman—*cont.*:

Appointment or election of Chairman; election of Vice-Chairman; removal; term of office—*cont.* - - - - Ben.Act4, 1894,s.16),s.59 (am.Ben.Act 4,1894,s.28), Sch.II(rep.in pt.Ben.Act2, 1888).

Resignation of; grant of leave to - - - - Ben.Act3,1884,ss.26A,26B, 27A(ins.Ben. Act4,1894, ss.16,17,19).

Allowances and leave allowances of - - - - „ s.28(am.Ben. Act4,1894, s.20),s.59.

Ex-officio appointments of Commissioner or Chairman - - „ s.25A(ins.Ben. Act4,1894, s.14).

Resignation of Commissioner - - - - - „ s.27A(*2*)(ins. Ben.Act4, 1894,s.19).

Filling of casual vacancies in office of Commissioner, Chairman or Vice-Chairman - - - - - - - „ s.27(am.Ben.Act 4,1894,s.18).

(*c*) *Conduct of Business.*

Meetings of the Commissioners; minutes of proceedings - - „ ss.38to42(am. Ben.Act4,1894, s.24;Ben.Act2, 1896,ss.5,6), ss.43,60,s.351A (ins.Ben.Act4, 1894,s.96).

Powers of Chairman; delegation of his duties or powers to Vice-Chairman - - - - - - - „ ss.44,45.

Joint Committees; appointment of, by Municipal Commissioners and District Board or Cantonment Authority or other Municipal Commissioners; delegation of powers to, and framing of rules for - „ s.37A(ins.Ben. Act4,1894,s.23). Ben.Act3,1885,s.30.

Ward Committees:

Power to divide municipality into wards; appointment or election of Committees - - - - - Ben.Act3,1884,ss.50,55.

Power to make rules as to election of - - - - „ s.51.

Chairman and Vice-Chairman of - - - - „ ss.52,54.

Powers of - - - - - - - „ s.53.

Meetings of; minutes of proceedings - - - - „ s.54.

Establishments for - - - - - - „ s.54.

Removal or resignation of members - - - - „ s.55.

Commissioner or member of Ward Committee not to vote on question affecting himself - - - - - - - - „ s.58(am.Ben. Act4,1894, s.27).

MUNICIPALITY—*cont.*

V.—BENGAL (EXCEPT CALCUTTA), AND THREE TOWNS IN ASSAM—*cont.*

2. Constitution and Government—*cont.*

(*d*) *Officers and Servants.*

Scale of; appointment, salaries, leave allowances and removal of		Ben.Act3,1884,sec.46(am. Ben.Act4,1894, s.25),s.61.
Power to make bye-laws as to duties, appointment, leave, fining, suspension and removal of		„ s.351A(ins.Ben. Act4,1894,s.96; am.Ben.Act2, 1896,s.18).
Pensions, gratuities and provident or annuity fund		„ ss.47,59.
Pensions, gratuities and leave allowances of Government officials employed by Commissioners		„ s.48.
Commissioners may take security from		„ s.49.
Mehters, etc., to give one month's notice of withdrawal from duties		„ ss.173,174,188.
Power to invest certain servants with power to arrest offenders		„ s.365(am.Ben. Act4,1894,s.98).
Penalty for taking bribe		„ s.366.

(*e*) *General Powers of Official Control.*

Certain resolutions of Commissioners to be subject to approval of Local Government		„ s.59(am.Ben.Act 4,1894,s.28).
Copy of minutes of proceedings to be sent to District Magistrate		„ s.60.
Control over appointment and dismissal of officers and servants		„ s.61.
Power of District or Sub-divisional Magistrate to inspect property and documents		„ s.62.
Power of Commissioner of Division or District Magistrate to suspend action; report to Local Government; powers of Local Government		„ s.63.
Power of Local Government—		
to provide for performance of duty in default of Commissioners		„ s.64.
to supersede Commissioners for incompetency, default or abuse of powers; consequences to ensue on supersession		„ ss.65,66,Schs. I,II.
Settlement of disputes between Commissioners, District Boards and Cantonment Authorities		„ s.66A(ins.Ben. Act4,1894,s.29). Ben.Act3,1885,ss.136, 137.
Control of District Magistrate, Commissioner of Division and Local Government over estimates and expenditure		Ben.Act3,1884,ss.74,75,76 (am.Ben.Act4, 1894,s.32), 77to80.
Submission of annual report and of registers, etc., to Local Government; audit of accounts by special officer		„ ss.81,82(am.Ben. Act4,1894,s.33).
Delegation of certain of Local Government's powers to Commissioners of Divisions		„ s.29A(ins.Ben. Act4,1894,s.21).

3. Taxation.

Continuance of taxes imposed under former laws		„ s.7.

MUNICIPALITY—*cont.*

V.—BENGAL (EXCEPT CALCUTTA), AND THREE TOWNS IN ASSAM—*cont.*

3. Taxation—*cont.*

Taxes which may be imposed—

generally - - - - - - - Ben. Act 3, 1884, ss. 85, 86(*a*) to(*c*), 89, Sch. V (am. Ben. Act 4, 1894, ss. 34, 35, 37, 99; Ben. Act 6, 1894).

in selected municipalities only - - - - - „ ss. 86(*d*) to(*f*), 279, 309, 321, 326 (am. Ben. Act 4, 1894, ss. 81, 87; Ben. Act 2, 1896, ss. 13, 15).

Taxes not invalid for defect of form - - - - - - „ s. 358.

Recovery of taxes generally - - - - - - - „ ss. 360, 361.

Taxes which may be imposed generally:

Tax on Persons occupying Holdings, and Rate on Holdings:

Assessment, payment and recovery of; revision of assessment; distress and sale; suits - - - - - „ ss. 87 to 97, 97A, 98 to 111, 111A, 112 to 130, Schs. III, IV (am. Ben. Act 4, 1894, ss. 36 to 49; Ben. Act 6, 1894).

Appointment of assessor of taxes - - - - „ s. 111A (ins. Ben. Act 4, 1894, s. 43).

Power to enter, inspect and measure holding - - „ s. 99 (am. Ben. Act 4, 1894 s. 41), s. 100.

Tax on Carriages, Horses and other Animals:

Order for imposition of tax; licenses; compounding; list of licensees; entry and inspection; refund of tax; prohibition of double fee; meaning of "used in the ordinary course of business" - - - - - - „ ss. 131 to 141, 141A, 141B, Sch. V (am. Ben. Act 4, 1894, ss. 50, 99; Ben. Act 2, 1896, ss. 9, 10).

Registration of Carts:

Order for registration; procedure for registration; fee; seizure and sale of unregistered cart; prohibition of double fee; apportionment of fees; levy of fee when cart registered in more than one municipality; meaning of "used in the ordinary course of business" - - „ ss. 142 to 147, 147A, 147B (am. Ben. Act 4, 1894, ss. 51, 52; Ben. Act 2, 1896, ss. 9, 11).

Tolls on Ferries, Bridges and Roads:

Ferries: order for levy of tolls; toll not leviable unless ferry used; toll to be prepaid; prohibition of private ferries near municipal ferry - - - - - „ ss. 151, 152, 154 to 156.

Bridges and roads: power to establish toll-bars; power to levy tolls; publication of accounts; cessation of levy of tolls; order for levy of tolls; toll to be prepaid; seizure and sale of property for recovery of toll - - „ ss. 158 to 163.

MUNICIPALITY—*cont.*

V.—BENGAL (EXCEPT CALCUTTA), AND THREE TOWNS IN ASSAM—*cont.*

3. **Taxation**—*cont.*

Taxes which may be imposed generally—*cont.*:
Tolls on Ferries, Bridges and Roads—*cont.*:
Leasing; exhibition of table of tolls; compounding for tolls; police to assist in case of non-payment of toll; penalty for taking unauthorised toll — Ben.Act3,1884,ss.153,164 to167,169,170.
Taxes which may be imposed in selected municipalities only:
Tolls leviable under Canals Act, 1864:
Power to appoint Commissioners to collect tolls, and power to direct them to cease to levy tolls — ,, ss.171,172.
Water-rate:
Assessment, payment, collection and recovery of — ,, s.279(3)[am.Ben. Act4,1894,s.81], ss.280to286,297.
Remission of tax when premises unoccupied — ,, ss.282,283.
Application of — ,, s.307(am.Ben. Act4,1894,s.84).
Lighting-rate:
Assessment and payment of — ,, ss.310to317.
Remission of, when holding unoccupied — ,, s.315.
Application of — ,, s.318A(ins.Ben. Act4,1894, s.85).
Fee for cleansing Latrines:
Payment, recovery and application of — ,, s.322(am.Ben. Act4,1894, s.88;Ben.Act2, 1896,s.16), ss.323,324.
Power to compound for — ,, s.325
Power to levy rate per head, in lieu of — ,, s.326.
Power to require list of persons residing in, or habitually resorting to, holding; penalty — ,, ss.333,334.
Exemptions from taxation:
Tax on Persons occupying Holdings:
Not to be levied in respect of occupation of place o public worship, public burial or burning ground or public building — ,, ss.87,89(am.Ben. Act4,1894,ss.36, 37;Ben.Act 6,1894).
Power to exempt persons on ground of poverty, or when occupation of holding has ceased — ,, ss.91,92.
Exemption when holding vacant — ,, s.95.
Rate on Holdings:
Places of public worship and public burial or burning grounds exempted; power to exempt holding used for purposes of public charity — ,, s.98(am.Ben.Act 4,1894,s.40).
Power to remit payment on ground of hardship — ,, s.106.
Remission or refund when holding vacant — ,, ss.110,111.
Tax on Carriages, Horses and other Animals:
Certain property exempted — ,, s.131(am.Ben. Act2,1896,s.9).

MUNICIPALITY—*cont.*

V.—BENGAL (EXCEPT CALCUTTA), AND THREE TOWNS IN ASSAM—*cont.*

3. Taxation—*cont.*

Exemptions from taxation—*cont.* :
Registration of Carts :
Certain carts exempted - - - - - - Ben.Act3,1884,sec.142(rep. in pt.Ben.Act4, 1894,s.51).
Tolls on Ferries, Bridges and Roads :
Certain property exempted - - - - - - „ s.168.
Water-rate :
Certain premises exempted - - - - - - „ s.279(3)[am. Ben.Act4,1894, s.81;Ben.Act 2,1896,s.14].
Fee for cleansing Latrines :
Certain shops and places of business exempted - - „ s.322,prov.
„ jails, reformatories and lunatic asylums exempted - „ s.334A(ins.Ben. Act4,1894,s.90).

4. Municipal Fund and Property.

Municipal Fund ; constitution of - - - - - - „ s.67.
„ „ custody and investment of - - - „ s.83.
„ „ application of - - - - - - „ s.64,s.68(am.Ben. Act4,1894,s.30), s.69(am.Ben.Act 1,1896,s.7)
„ „ power to make rules as to application of - - „ s.69B(ins.Ben.Act 2,1896,s.7).
„ „ authority on which payments may be made from - „ s.84.
„ „ receipts and expenditure on account of hospitals and dispensaries - - - - - „ s.69A(ins.Ben. Act2,1896,s.7).
„ „ expenditure outside municipality - - - „ s.70(am.Ben.Act 2,1896,s.8).
„ „ accounts and estimates - - - - „ s.69A(ins.Ben.Act 2,1896,s.7),ss.71to 75,ss.76to82(am. Ben.Act4,1894, ss.32,33).
Liability of Commissioners and members of Ward Committees for misapplication of money - - - - - - - „ s.56.
Municipal property ; what property vested in Commissioners - „ s.30(am.Ben.Act 4,1894,s.22).
„ „ power of Commissioners to acquire property - „ s.31.
„ „ power to vest hospitals, dispensaries, schools, rest-houses, ghats and markets in Commissioners - - - - - - „ ss.32,33.
„ „ power of Commissioners to acquire and dispose of land - - - - - - „ ss.34to36.
„ „ power to assign public ferries to Commissioners - - - - - „ s.148.
„ „ power of Commissioners to declare private ferries to be municipal ferries ; compensation „ s.149.

MUNICIPALITY—*cont.*

V.—BENGAL (EXCEPT CALCUTTA), AND THREE TOWNS IN ASSAM—*cont.*

4. Municipal Fund and Property—*cont.*

Municipal property: maintenance and working of ferries - - Ben.Act3,1884,section150
„ „ power to assign toll-bar to Commissioners - „ s.157.
„ „ rubbish, sewage, etc., collected by Commissioners to belong to them - - - „ ss.173,174,196.
Consolidation or apportionment of funds and property when municipalities united or municipality sub-divided - - - „ s.9B(ins.Ben. Act4,1894, s.4).
Contracts; power to make; mode of executing - - - „ s.37.
„ penalty on Commissioner or member of Ward Committee having interest in contract made with Commissioners - „ s.57(am.Ben. Act4,1894, s.26).
Suits against Commissioners, etc.: notice; limitation; tender of amends - - - - - - - - „ s.363.

5. Police.

Police-officers to assist—
in seizure of unregistered cart - - - - - „ s.147.
in case of resistance to collection of toll - - - - „ s.169.
Powers of police-officers on occasion of fire - - - - „ s.349B(ins. Ben.Act4, 1894,s.92).
Police-officers to report offences, and may arrest offenders; disposal of persons arrested - - - - - - - „ s.365(am. Ben.Act4, 1894,s.98).
Power of Local Government to charge cost of police on Port Fund of port in or abutting municipal town - - - - Ben.Act3,1867,ss.8,9.
Howrah:
Police-officers to be appointed under Act 5, 1861 - - Ben.Act4,1884,s.3.
Estimate of income and expenditure on account of police - „ ss.4to7.
Application of Municipal Fund to payment of police - - „ ss.2,8.
What portion of expenditure on police to be paid from Municipal Fund - - - - - - „ s.7.

6. The Public Health, Safety and Convenience.

(*a*) *Roads, etc.*
(*b*) *Buildings.*
(*c*) *Dangerous Buildings and Places.*
(*d*) *Buildings, Grounds, etc., in Insanitary Condition, etc.*
(*e*) *Deposit and Removal of Rubbish and Offensive Matter.*
(*f*) *Drains, Latrines and other Receptacles for Filth.*
(*g*) *Bathing and Washing Places.*
(*h*) *Water-supply.*
(*i*) *Lighting with Gas.*
(*j*) *Food, Drink and Drugs.*
(*k*) *Restraint of Infection.*
(*l*) *Disposal of the Dead.*
(*m*) *Offensive and Dangerous Trades.*
(*n*) *Prevention and Extinction of Fire.*
(*o*) *Stables, Cattle-yards, etc.*
(*p*) *Registration of Births and Deaths.*
(*q*) *Miscellaneous.*

(*a*) *Roads, etc.*

Provisions applicable generally:
Commissioners to maintain and repair public roads and bridges, and may maintain, etc., other roads and bridges - - Ben.Act3,1884,s.69(am. Ben.Act2,1896, s.7).
Municipal Fund applicable to lighting and watering of roads -

MUNICIPALITY—*cont.*

V.—BENGAL (EXCEPT CALCUTTA), AND THREE TOWNS IN ASSAM—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*a*) *Roads, etc.*—cont.

Provisions applicable generally—*cont.*:

Power to close road temporarily; steps to be taken to prevent accident during repairs	Ben. Act 3, 1884,	section 201.
Removal of wall, fence, or other obstruction or encroachment on road, and of projections from houses; compensation; penalty	"	ss. 202 to 206, 218 (am. Ben. Act 4, 1894, s. 63).
Removal of fallen house, tree, etc., obstructing public highway; penalty	"	ss. 207, 218 (am. Ben. Act 4, 1894, s. 63).
Trimming of hedges or trees bordering on or overhanging road, or causing obstruction or damage to road; penalty	"	s. 208 (am. Ben. Act 4, 1894, s. 58), s. 218.
Naming of roads; penalty for defacing, etc., name	"	ss. 215, 216.
Penalty for encroaching on road	"	s. 217(5).
Power to make bye-laws for regulating traffic and preventing obstructions, etc., on or near roads	"	s. 350 (am. Ben. Act 4, 1894, s. 93).

Provisions applicable to selected municipalities only:

Removal of projections from houses; compensation	"	ss. 233, 205.
Power to allow deposit of moveables, making of excavation, etc., in road	"	s. 234.
Hoards to be set up during repairs, etc.; penalty	"	ss. 235, 273(1).
Penalty for unlawfully digging or cutting up public road or thoroughfare	"	s. 269.
Penalty for throwing offensive matter on to road, or allowing offensive matter to run, etc., on to road	"	s. 270(1),(2).
Laying of water-pipes under public road or thoroughfare to be executed only by officer of Commissioners	"	s. 302.

(*b*) *Buildings.*

Provisions applicable generally:

Setting back building to regular line of road or drain; compensation; penalty	"	ss. 206, 218 (am. Ben. Act 4, 1894, s. 63).
Numbering of houses; penalty for defacing, etc., number	"	ss. 215, 216.

Provisions applicable to selected municipalities only:

Removal of projections from houses; compensation	"	ss. 233, 205.
Power to prohibit use of inflammable materials in external roofs and walls; penalty	"	ss. 236, 270(5) [am. Ben. Act 4, 1894, ss. 67, 78].

MUNICIPALITIES—*cont.*

V.—BENGAL (EXCEPT CALCUTTA), AND THREE TOWNS IN ASSAM—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*b*) *Buildings*—cont.

Provisions applicable to selected municipalities only—*cont.*:

Notice of new building; powers of Commissioners; compensation; appeal; penalties - - - - - - Ben. Act 3, 1884, ss. 237 to 241, 242A, 271, 273(*1*) [am. Ben. Act 4, ss. 68, 70, 79, 80; Ben. Act 2, 1896, s. 12].

Erection, etc., of huts or sheds, under control of Commissioners; penalty - - - - - - - - „ s. 243 (am. Ben. Act 4, 1894, s. 71), ss. 244, 267.

See also below, (*c*), (*d*).

(*c*) *Dangerous Buildings and Places.*

Provisions applicable generally:

Securing or protection of dangerous well, tank or excavation; penalty - - - - - - - - „ ss. 209, 219.

Removal, securing or repair of ruinous or dangerous building, etc.; penalty - - - - - - - - „ ss. 210, 212 (am. Ben. Act 4, 1894, s. 59), s. 219.

Provisions applicable to selected municipalities only:

Power to prohibit letting of house which is unstable or has defective drainage or latrine accommodation; appeal; penalty „ ss. 242, 242A (am. Ben. Act 4, 1894, ss. 69, 70), s. 273(*1*).

(*d*) *Buildings, Grounds, etc., in Insanitary Condition, etc.*

Provisions applicable generally:

Power to require removal of noxious vegetation, levelling or draining; acquisition of land; compensation; penalty - „ ss. 195, 219.

Securing or removal of untenanted or ruinous building affording facilities for commission of nuisance or harbouring of noxious animals; penalty - - - - - - - „ s. 210A (ins. Ben. Act 4, 1894, s. 60), s. 219 (am. Ben. Act 4, 1894, s. 64).

Provisions applicable to selected municipalities only:

Block of huts causing risk of disease: inspection and report by medical officers; execution of works for removal of such risk; and recovery of expenses; sale of materials if huts pulled down „ ss. 245 to 248.

(*e*) *Deposit and Removal of Rubbish and Offensive Matter.*

Provisions applicable generally:

Establishments, carts, etc., for removal; time of removal; places for deposit; penalties - - - - - - „ ss. 186, 187 (am. Ben. Act 4, 1894, ss. 53, 54), ss. 189, 216, 217(*1*).

MUNICIPALITY—*cont.*

V.—BENGAL (EXCEPT CALCUTTA), AND THREE TOWNS IN ASSAM—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*e*) *Deposit and Removal of Rubbish and Offensive Matter*—cont.

Provisions applicable generally—*cont.* :

Power to make bye-laws as to disposal of sewage, carcasses, etc. - Ben. Act 3, 1884, s. 350 (am. Ben. Act 4, 1894, s. 93).

Provisions applicable to selected municipalities only :

Licensing and control of persons employed in removing sewage - „ s. 331.

(*f*) *Drains, Latrines and other Receptacles for Filth.*

Provisions applicable generally :

Commissioners to maintain and repair drains and privies vested in them, and may construct, etc., others - - - „ s. 69 (am. Ben. Act 2, 1896, s. 7).

Provision of system of drainage. *See below*, (*h*).

Drains, privies and cesspools :

Control over and inspection of; opening of ground, and payment of expenses - - - - - - „ ss. 190, 191.

Disinfection of - - - - - - - „ s. 192.

Penalty for not keeping in proper state - - - „ ss. 217 (*3*), 329.

Provision and maintenance, or licensing, of common necessaries; penalty - - - - - - „ ss. 193, 194, 217 (*2*).

Existing public sewers, drains and other conservancy works to be under control of Commissioners; power to construct new works - - - - - - - - „ s. 197.

Removal of fallen house, tree, etc., obstructing public drain; penalty - - - - - - - - „ ss. 207, 218 (am. Ben. Act 4, 1894, s. 63).

Penalty for encroaching on drain or sewer - - - „ s. 217 (*5*).

Power to make bye-laws as to management of drains, sewers, privies and cesspools - - - - - „ s. 350 (am. Ben. Act 4, 1894, s. 93).

Provisions applicable to selected municipalities only :

Drains; repair of; penalty - - - - - „ ss. 224, 271 (am. Ben. Act 4, 1894, s. 79).

„ unlawfully making or altering drain leading into public sewer or drain; penalty - - - - „ ss. 226, 272.

„ provision of drainage; penalty - - - „ ss. 227, 228, 271 (am. Ben. Act 4, 1894, s. 79)

„ alteration, etc., of drain improperly made - - „ s. 229.

„ penalty for throwing, etc., offensive matter, etc., into sewer or drain - - - - „ s. 270 (*1*), (*2*).

„ „ for unlawfully constructing, etc., drain- - „ s. 272 (*2*), (*3*).

Unlawful construction or keeping of drain, latrine, etc., near tank or water-course; penalties - - - - „ ss. 230, 270 (*3*), 271.

Privies and cesspools : regulation of; penalties - - - „ ss. 224, 225, 229, 231, 266, 270 (*3*), 271 [am. Ben. Act 4, 1894, s. 79], s. 272.

MUNICIPALITY—*cont.*

V.—BENGAL (EXCEPT CALCUTTA), AND THREE TOWNS IN ASSAM—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*f*) *Drains, Latrines and other Receptacles for Filth*—cont.

Provisions applicable to selected municipalities only—*cont.* :

Supply of water for latrines and water-closets	Ben. Act 3, 1884, section 296.
Power to maintain establishment for cleansing private privies and cesspools	„ s.320(am. Ben. Act 4, 1894, s.86).
Power for municipal servants to enter premises, etc.	„ s.330.
Provision of latrines for private premises	„ s.332.
Part IX (ss. 320 to 334) not to apply to certain jails, reformatories and lunatic asylums	„ s.334A(ins. Ben. Act 4, 1894, s.90).

(*g*) *Bathing and Washing Places.*

Provisions applicable generally :

Power to set apart wells, tanks, etc., for bathing and washing	„ s.199(am. Ben. Act 4, 1894, s.55.
„ make bye-laws as to bathing and washing places	„ s.350(am. Ben. Act 4, 1894, s.93).

(*h*) *Water-supply.*

Provisions applicable generally :

Commissioners to maintain and repair tanks, ghats, wells and channels vested in them, and may maintain, etc., other tanks, etc.	„ s.69(am. Ben. Act 2, 1896, s.7).
Municipal Fund applicable to supply of water	
Public streams, channels, tanks, etc., to be under control of Commissioners	„ s.198.
Power to set apart wells, tanks, etc., for supply of water for drinking and culinary purposes, and to prohibit fouling of water; penalty	„ s.199(am. Ben. Act 4, 1894, s.55), s.217(*4*).
Power to prohibit use, for drinking, of unwholesome water; penalty	„ s.199A(ins. Ben. Act 4, 1894, s.56), s.217(*4*)[am. Ben. Act 4, 1894, s.62.
Cleansing, filling-up or draining-off of injurious or offensive well, stagnant water, etc.; acquisition of land; compensation; penalty	„ s.200(am. Ben. Act 4, 1894, s.57), s.219.
Trimming of trees overhanging tank or well used for drinking purposes or fouling water; penalty	„ s.208(am. Ben. Act 4, 1894, s.58), s.218.
Penalty for encroaching on aqueduct or water-course	„ s.217(*5*).
Power to make bye-laws as to water-supply	„ s.350(am. Ben. Act 4, 1894, s.93).
Provision of (i) supply of water for domestic purposes, or (ii) system of drainage :	
Submission of scheme by Commissioners or Joint Committee to Local Government	„ ss.37B to 37M (ins. Ben. Act 4, 1894, s.23), Sch. I.
Reference of scheme to Sanitary Board	
Local Government may sanction scheme, with or without alteration, or refer it to Sanitary Board for further consideration	

MUNICIPALITY—*cont.*

V.—BENGAL (EXCEPT CALCUTTA), AND THREE TOWNS IN ASSAM—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*h*) *Water-supply*—cont.

Provisions applicable generally—*cont.*:

Provision of (i) supply of water for domestic purposes, or (ii) system of drainage—*cont.*:

Distribution of cost of scheme
Publication of scheme as approved, with particulars
Final sanctioning or rejection of scheme, or further reference to Sanitary Board
Carrying out of scheme
Power for Local Government to appoint officer to execute works
Advance from public funds for scheme
Compulsory introduction of scheme
Application of Part VII (ss. 279 to 307: imposition of water-rate, etc.), when water-supply provided under compulsion
Powers conferred on Commissioners not to be exercised by Chairman

Ben. Act 3, 1884, ss. 37 B to 37 M (ins. Ben. Act 4, 1894, s. 23), Sch. I.

Provisions applicable to selected municipalities only:

Public tanks, water-works, etc., vested in Commissioners — „ s.306.

Commissioners to provide water-supply; supply for domestic purposes; pressure; communication-pipes; powers of entry and inspection; supply for business — „ ss.287 to 289, 290 (am. Ben. Act 4, 1894, s. 82), ss. 291 to 293, 294 (rep. in pt. Ben. Act 4, 1894, s. 83), s. 295.

Supply of water for latrines and water-closets — „ s.296.

Power to supply water for domestic use outside municipality — „ s.300.

Inspection before making connection with service-pipes; connection to be made by officer of Commissioners — „ ss.301, 302.

Specification and estimate to be sent by owner to occupier, or by occupier to owner, before commencing work — „ s.304.

Owner to bear expense of keeping works in repair; saving of prior leases — „ s.305.

Power to turn off water — „ ss.293, 297.

Penalties for—

wasting water — „ ss.298, 299.

unlawfully taking water for use outside municipality — „ s.300.

„ flushing, diverting, etc., water — „ s.303.

Application of water-rate, moneys received for supply of water or execution of works, and fines — „, s.307 (am. Ben. Act 4, 1894, s. 84).

Unlawful construction or keeping of drain, latrine, etc., near tank or water-course; penalties — „ ss.230, 270 (*3*), 271.

(*i*) *Lighting with Gas.*

Provisions applicable to selected municipalities only:

Submission of plan to Local Government; publication and sanctioning or rejection of plan — „ s.308.

MUNICIPALITY—*cont.*

V.—BENGAL (EXCEPT CALCUTTA), AND THREE TOWNS IN ASSAM—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*i*) *Lighting with Gas*—cont.

Provisions applicable to selected municipalities only—*cont.*:

Alteration of situation of gas-pipe or other gas-work - - Ben.Act3,1884,ss.317,318.
Application of lighting-rate, moneys received for lighting or for execution of works, and fines - - - - - „ s.318A(ins.Ben. Act4,1894,s.85).
Application of Part VIII (ss. 308 to 318A) to other systems of lighting involving laying of pipes or wires, etc. - - „ s.319.

(*j*) *Food, Drink and Drugs.*

Provisions applicable to selected municipalities only:

Drainage, paving and water-supply for places for sale of food and for slaughter-houses; penalty - - - - „ ss.249,268.
Entry, under Magistrate's warrant, of premises where article of food or drink unfit for human consumption is offered for sale; search for, and seizure and disposal of article - - „ s.250.
Sale of article of food or drink not of the quality, etc., demanded „ ss.251,251A(am. Ben.Act3,1886, ss.2,3).
Power of Commissioners to enter and inspect market, shop, building, etc., used for sale or storage of articles of food, or place used as slaughter-house, and to seize, destroy, etc., articles unfit for food - - - - - - - - „ s.251B,251C (ins.Ben.Act3 1886,s.3).
Compulsory sale of article of food for purposes of analysis - „ s.251D(ins.Ben. Act3,1886,s.3.
Definition of "municipal market" and "market" - - „ s.336.
Power to provide municipal market or take lease of market, and charge rents, tolls and fees; recovery of rents, etc. - - „ s.335.
Licensing and registration of markets - - - - „ ss.337to339(am. Ben.Act4,1894, s.91),340to343.
Penalty for using, and closing of, unlicensed market - - „ ss.344,345.
Ben. Act 7, 1865, may be extended by notification to places in which Ben. Act 3, 1884, is in force - - Ben.Act7,1865,s.9(and see Ben.Act3, 1884,s.2,am. Ben.Act4, 1894,s.2).
„ „ „ repealed as to Suburbs of Calcutta - - Ben.Act4,1876,s.2.
Slaughter-houses not to be used except under license; penalty; exception as to Hindu and Muhammadan places of worship - Ben.Act7,1865,s.1.
Power of Municipal Commissioners to provide slaughter-houses and make bye-laws therefor - - - - - „ s.2.
Draining and paving of, and water-supply for, licensed slaughter-houses; penalty - - - - - - „ s.3.
Market: water-supply for meat market; penalty - - „ s.3
„ power of Municipal Commissioners to make bye-laws as to inspection, management and sanitation of markets for sale of meat or fish - - - „ s.4.

MUNICIPALITY—*cont.*

V.—BENGAL (EXCEPT CALCUTTA) AND THREE TOWNS IN ASSAM—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*j*) *Food, Drink and Drugs*—cont.

Provisions applicable to selected municipalities only—*cont.*:

Power of Municipal Commissioners to inspect markets or places used for sale of meat, poultry or fish and slaughter-houses and seize animals and articles unfit for human consumption; destruction or disposal of things seized; penalty on owner — Ben. Act 7, 1865, section 5.

Power of Magistrate, on conviction, to suspend or revoke license for slaughter-house — „ s.6.

Penalty for using slaughter-house during suspension or after revocation of license — „ s.7.

Application of certain provisions of Ben. Act 3, 1884 — „ ss.4,8 (and see Ben. Act 3, 1884, s.2, am. Ben. Act 4, 1894, s.2).

Drugs; registration and licensing of shops, etc., for retail sale of drugs; licensing of compounders; penalties — Ben. Act 3, 1884, ss.252, 275, 276.

„ entry and inspection of places for sale of drugs; removal and disposal of adulterated, inert, unwholesome or noxious drugs; compensation — „ s.253.

(*k*) *Restraint of Infection.*

Provisions applicable generally:

Power to prohibit use, for drinking, of water likely to engender or spread dangerous disease; penalty — „ s.199A (ins. Ben. Act 4, 1894, s.56), s.217(4) [am. Ben. Act 4, 1894, s.62].

(*l*) *Disposal of the Dead.*

Provisions applicable generally:

Power to make bye-laws for regulating cremations, burials and disposal of corpses — „ s.350 (am. Ben. Act 4, 1894, s.93).

Provisions applicable to selected municipalities only:

Burial and burning-grounds:

Power to provide, and charge fees — „ s.259.

Registration of — „ s.254.

Prohibition of use of unregistered ground; penalty — „ ss.257, 274.

Permission required to making, etc., of — „ s.255.

Power to close; appeal — „ s.256, ss.256A, 256B (ins. Ben. Act 4, 1894, s.72).

Licensing of sale of fuel, etc., at burning-grounds — „ s.260A (ins. Ben. Act 4, 1894, s.73).

Power of Commissioners to cause burial or burning; recovery of expenses of — „ s.258.

„ „ to bury or burn corpses of paupers free of charge — „ s.260.

MUNICIPALITY—*cont.*

V.—BENGAL (EXCEPT CALCUTTA), AND THREE TOWNS IN ASSAM—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*m*) *Offensive and Dangerous Trades.*

Provisions applicable to selected municipalities only :

Licensing of places for carrying on; penalty - - -		Ben.Act3,1884,s.261[rep. in pt.Ben.Act1, 1893, s.46,s.46A (ins. Ben.Act1, 1894, s.5) ;am.Ben. Act4,1894,s.74], s.273(*2*) (*3*).
Power to direct discontinuance of; penalty - - -	„	s.262(am.Ben. Act4,1894,s.75), s.277.
Prohibition of private kilns; penalty - - - -	„	ss.262A,273(*2*) [am.Ben.Act4, 1894,ss.76,80].

(*n*) *Prevention and Extinction of Fire.*

Provisions applicable generally :

Power to establish, equip and maintain fire-brigade; powers of persons superintending brigade at fire - - -	„	ss.349A,349B (ins.Ben.Act4, 1894,s.92).
Municipal Fund applicable to maintenance of fire-brigade -	„	s.69(xiv)(am' Ben.Act2,1896, s.7).

Provisions applicable to selected municipalities only :

Licensing of yards or depôts for trade in hay, straw, wood, thatching grass, jute or other dangerously inflammable material, and of store-houses for kerosine, petroleum, naphtha or any inflammable oil or spirit - - - - -	„	s.261[rep.in pt. Ben.Act1,1893, s.46,s.46A(ins. Ben.Act1,1894, s.5) ;am.Ben. Act4,1894,s.74], s.273(*2*),(*3*).

See also above, (*b*).

(*o*) *Stables, Cattle-yards, etc.*

Provisions applicable to selected municipalities only :

Licensing of places for keeping horses, ponies or cattle; provision of public stables; penalty - - - -	„	s.263(rep.in pt. Ben.Act4,1894,s. 77),ss.264,273(*2*), (*3*),(*4*).

(*p*) *Registration of Births and Deaths.*

Provisions applicable generally :

Power to require Commissioners to register births and deaths in accordance with Ben. Act, 4, 1873 - - -	„	s.346.
Appointment of sub-registrars at burial or burning ground; furnishing of particulars to them for registration - -	„	ss.347,348.
Medical officers to send to Commissioners notice of deaths in hospital	„	s.439.

MUNICIPALITY—*cont.*

V.—BENGAL (EXCEPT CALCUTTA) AND THREE TOWNS IN ASSAM—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*q*) *Miscellaneous.*

Provisions applicable generally :

Municipal Fund applicable to—

construction, etc., of tramways, squares and gardens
erection and maintenance of offices, etc.
construction and repair of school-houses
establishment and maintenance of schools, hospitals and dispensaries
promotion of vaccination
acquiring and keeping of open spaces
training and employment of female medical practitioners and of veterinary practitioners
veterinary purposes
breeding of horses, etc.
free libraries
works of public utility
benches for trial of offences
certain travelling expenses

— Ben. Act 3, 1884, s. 69 (am. Ben. Act 2, 1896, s. 7).

Maintenance and management of High English School by Joint Committee of Municipal Commissioners and members of District Board — Ben. Act 3, 1885, s. 64.

Power to destroy stray dogs — Ben. Act 3, 1884, section 213.

„ offer rewards for destruction of noxious animals — „ s. 214.

„ make bye-laws for regulating letting-off of fire-arms, fire-works, fire-balloons or bombs — „ s. 350 (am. Ben. Act 4, 1894, s. 93, Ben. Act 2, 1896, s. 17).

Nuisances ; power to make bye-laws for preventing — „ s. 350 (am. Ben. Act 4, 1894, s. 93 ; Ben. Act 2, 1896, s. 17).

„ public ; power to direct prosecution for — „ s. 352.

„ saving of suits for — „ s. 367.

Application of Part II of the Village Chaukidari Act, 1870, to municipalities : duties of Municipal Commissioners — „ s. 364.

Provisions applicable to selected municipalities only :

Power to order survey ; application of Calcutta Survey Act, 1887 — „ s. 223A (ins. Ben. Act 4, 1894, s. 66.

„ prohibit excavations ; penalty — „ ss. 232, 270(*4*).

Licensing of lodging-houses or serais ; penalty — „ s. 261 (am. Ben. Act 4, 1894, s. 74), s. 273(*2*), (*3*).

Restrictions on keeping of pigs, sheep or goats ; penalty — „ ss. 265, 273(*5*).

Hilly tracts : special power to make bye-laws for — „ s. 350A (ins. Ben. Act 4, 1894, s. 94).

MUNICIPALITY—*cont.*

V.—BENGAL (EXCEPT CALCUTTA), AND THREE TOWNS IN ASSAM—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*q*) *Miscellaneous*—cont.

Hilly tracts; control over porters, etc., in Darjeeling and Kurseong:
- Act not to come into force till notified — Ben.Act5,1883,section2.
- Proclamation of such notification — „ s.3.
- "Coolies" mean porters and include dandy-wallas and other persons employed in carrying, drawing or propelling any vehicle — „ s.1.
- Licensing and registration of coolies — „ ss.4to7.
- Licensed coolies to wear metal badge, under penalty; renewal of badge, on payment — „ ss.8,9,15.
- Power of Municipal Commissioners to fix rates for hire of coolies; such rates to be paid except under special agreement — „ ss.10,11.
- Withdrawal or suspension of license—
  - for misconduct — „ s.12.
  - on conviction of offence — „ s.20.
- Penalty on coolie—
  - for certain offences connected with hiring — „ s.13.
  - for working without license, etc. — „ s.14.
  - for not surrendering license or badge on expiry of license, etc. — „ s.16.
  - for using counterfeit badge — „ s.17.
  - for not depositing lost or unclaimed property at police station — „ s.18.
  - for not producing license or badge on being charged with offence — „ ss.19,20.
- Endorsement of conviction on license — „ s.19.
- Penalty for refusing to pay legal fare — „ s.21.
- Jurisdiction of Magistrate — „ s.22.
- Fines to be credited to Municipal Fund — „ s.23.

7. Supplemental.

Provisions applicable generally:
- Power of Local Government to withdraw Part V (ss. 175 to 219), or any portion thereof, from any municipality or part thereof — Ben.Act3,1884,ss.173,174.
- Rules; power to make — „ s.15(am.Ben.Act 4,1894,s.7;Ben. Act2,1896,s.3), s.37A(ins.Ben. Act4,1894,s.23). ss.47,51,69B(ins. Ben.Act2,1896, s.7),s.78,s.351A (ins.Ben.Act4, 1894,s.96).
- „ sanctioning and publication of — „ s.351A(ins.Ben. Act4,1894,s.96).

MUNICIPALITY—*cont.*

V.—BENGAL (EXCEPT CALCUTTA), AND THREE TOWNS IN ASSAM—*cont.*

7. Supplemental—*cont.*

Provisions applicable generally—*cont.*:

Bye-laws; power to make; penalties for breach of	Ben. Act 3, 1884, sec. 350 (am. Ben. Act 4, 1894, s. 93; Ben. Act 2, 1896, s. 17), s. 350A (ins. Ben. Act 4, 1894, s. 94).
„ confirmation of; publication of, in draft	„ s. 351 (am. Ben. Act 4, 1894, s. 95).
„ final publication of	„ s. 354.
Requisition for execution of work by owner or occupier how to be made and served; making and disposal of objections to execution; execution by Commissioners in default of owner or occupier, and payment and apportionment of expenses; recovery of expenses by occupier from owner; reference to Civil Court	„ ss. 175 to 184, 212 (am. Ben. Act 4, 1894, s. 61).
Limitation of liability of managers, agents and trustees	„ s. 6 (*11*).
Recovery of moneys due to Commissioners	„ ss. 360, 361.
Power of Commissioners to take possession of building repaired by them until expense of repairs be paid	„ s. 211.
Power of Commissioners to pay compensation	„ s. 362.
Reference to Civil Court for determination and apportionment of damages or compensation	„ s. 185.
Notices and other documents; publication and service of	„ ss. 354, 356.
Notice; service of, on owner or occupier	„ s. 357.
Production of licenses	„ s. 359.
Prosecution: power to direct; expenses of	„ s. 352.
„ initiation and limitation of	„ s. 353 (am. Ben. Act 4, 1894, s. 97).
Fines; levy of	s. 355.
Vacancies and irregularities not to invalidate proceedings	„ ss. 13, 38 (am. Ben. Act 4. 1894, s. 24), 45, 128, 358.

Provisions applicable to selected municipalities only:

Parts VII to X (sections 223A to 345) to apply only to municipalities to which extended by Local Government; procedure for extension	„ s. 220 (am. Ben. Act 4, 1894, s. 65), ss. 221 to 223.
Rules: power to make; sanctioning and publication of; penalty for breach of	„ s. 241 (am. Ben. Act 4, 1894, s. 68), 331.
Power to suspend or cancel license	„ s. 278.

VI.—CALCUTTA.

1. Preliminary.

Definitions	Ben. Act 2, 1888, ss. 3, 13, 122, 152, 206, 207, 256, 262, 268, 306, 335, 364.

MUNICIPALITY—*cont.*

VI.—CALCUTTA—*cont.*

2. Constitution and Government.

(*a*) *The Municipal Area.*

Definition of "Calcutta"	Ben. Act 2, 1888,	section 3.
Power to alter limits of "Calcutta"; consequences to ensue on alteration	"	ss. 457 to 460.

(*b*) *The Corporation.*

Constitution and incorporation of	"	s. 4.
Appointment of Commissioners	"	ss. 7, 16.
Election of Commissioners	"	ss. 8 to 15, 17 to 20, 31, Schs. I, II, III.
Preparation, publication and correction of list of voters; appeal to Presidency Magistrate	"	ss. 20, 25, 27, 28.
Penalty for bribery at election	"	s. 34.
Government not to vote	"	s. 26.
Publication of results of election	"	s. 19.
Term of office of Commissioners	"	s. 30.
Filling of casual vacancies	"	s. 33.
Disqualifications of Commissioners	"	s. 32.
Commissioners deemed "public servants"	"	s. 51.
Chairman: appointment and removal of; to reside in Calcutta	"	s. 39.
Vice-Chairman: appointment, duties and removal of; to reside in Calcutta	"	ss. 40, 41.
Chairman and Vice-Chairman—		
not to engage in other business; exceptions	"	s. 42.
allowances of	"	s. 43.
grant of leave to; leave-allowances	"	ss. 47, 48.
powers of	"	s. 61.
Conduct of business	"	ss. 52 to 60, 68.
General Committee: constitution and duties of	"	ss. 63, 64.
Standing Committees and Special Committees: appointment and duties of	"	ss. 65, 66.
Sub-Committees: appointment of	"	s. 67.

(*c*) *Officers and Servants.*

Funds and property applicable to maintenance of establishments	"	ss. 35, 36(9).
Appointment, duties and removal of Secretary, Engineer, Surveyor, Health Officer, Collector and Assessor; these officers to reside in Calcutta	"	s. 41.
Appointment, duties and removal of other officers and servants	"	ss. 41, 45.
Salaries of	"	ss. 44, 45.
Grant of leave to; leave-allowances	"	ss. 45, 47, 48.
Suspension or fining of	"	s. 46.
Power to make rules as to absentee and deputation allowances, pensions, gratuities and provident or annuity fund	"	s. 49.
Officers and servants deemed "public servants"	"	s. 51.
Penalty on mehter, etc., withdrawing from duties without notice	"	s. 453.

MUNICIPALITY—*cont.*

VI.—CALCUTTA—*cont.*

2. Constitution and Government—*cont.*

(d) General Powers of Official Control.

Power of Local Government to provide for performance of duties in default of Corporation; appeal by Corporation to Governor General in Council	Ben. Act 2, 1888,	section 38.

3. Taxation.

Taxes imposed	„	ss.77,87,96, Schs.II,IV.
Power to impose tax on petroleum introduced into Calcutta for consumption therein	„	s.99.
Power to impose rates on houses and lands; appropriation of rates; consolidated rate	„	ss.101to106.
Power to levy rate for cleansing bustees	„	s.269.
Fixing of rates for levy of taxes and rates	„	s.71.
Tax or rate not invalid for defect of form	„	s.450.
Agents, etc., for collection of taxes, deemed "public servants"	„	s.51.
Tax on Carriages and Animals:		
Information to be furnished to Commissioners	„	ss.78,83.
Grant of license on payment of tax	„	s.79.
Refund or remission of tax in respect of unused carriage or animal	„	s.78.
Compounding with livery-stable keepers, etc., for tax	„	s.81.
Penalty for not taking out license or not paying tax	„	ss.80,82.
Power to inspect for discovery of carriages or animals liable to tax	„	s.84.
Seizure and disposal of carriages and animals for non-payment of tax	„	ss.84,85.
List of licensees	„	s.86.
Tax on Professions, Trades and Callings:		
Power to call for information	„	s.91.
Grant of license	„	ss.87,88.
Power to remit, refund or reduce, or exempt person from payment of, tax	„	s.87.
Liability to tax how to be determined	„	s.89,Sch.II.
Penalties	„	ss.90,92.
List of licensees	„	s.93.
Registration of Carts:		
Penalty; fee; power to remit fee; appropriation of fees; exemptions; seizure and sale of unregistered carts, etc.	„	ss.94to98.
Power to make bye-laws as to driving of registered carts	„	s.412(*d*).
Tax on Petroleum; power to make rules for collection of	„	s.100.
Consolidated rate; by whom and when payable	„	s.107.
„ „ recovery of portion of, by owner from tenant	„	s.108.
„ „ refund of portion of owner's share of, when house or land unoccupied	„	ss.109,110.
„ „ refund of occupier's share of, when house or land unoccupied	„	ss.111,112.
„ „ occupier's share payable from date of occupation	„	s.113.
„ „ sub-lessor to be deemed occupier	„	s.114.
„ „ power in certain cases to impose occupier's rate on owner; recovery by owner from occupier	„	ss.115,116.

MUNICIPALITY—*cont.*

VI.—CALCUTTA—*cont.*

3. Taxation—*cont.*

Consolidated rate imposed on bustee land, to be paid by owner; recovery of share by him from occupiers — Ben. Act 2, 1888, sections 117 to 119.

„ „ power to require occupier to furnish name and address of owner; on failure, occupier to pay owner's share; recovery of such share — „ ss. 120, 121.

Rate for fire-brigade: imposition of; to form part of the consolidated rate. *See* FIRE, 3.

Assessment of houses and land

Procedure — „ 122 to 136, 138 to 140.

Appeal to Court of Small Causes; limitation of appeal — „ ss. 137, 140.

Recovery of rates: procedure; distress and sale — „ ss. 141 to 149, Schs. VI to VIII.

Occupier may deduct from rent amount of owner's rate paid by him „ s. 146.

Purchaser liable for one year's rates unpaid by vendor — „ s. 147.

Exemptions from taxes:

Certain property exempted from the tax on carriages and animals „ s. 77.

Certain carts exempted from registration — „ s. 97.

Houses used for public worship, and public burial and burning-grounds, exempted from all rates and taxes — „ s. 455.

Power of Commissioners to exempt owner of hut from payment of rate thereon — „ s. 455.

4. Funds and Property.

Water-supply Fund; constitution and application of — „ ss. 102, 106.

Lighting Fund; „ „ — „ ss. 103, 106.

Sewage Fund; „ „ — „ ss. 104, 106.

General Fund; „ „ — „ ss. 105, 106, 308, 422.

Budget Estimate; sanction to expenditure; audit and publication of accounts — „ ss. 69 to 76.

Borrowing powers of Commissioners; reserve funds; payment of interest on debt; consolidation of loans, and annual repayments on account thereof — „ ss. 404 to 411, Sch. XII.

Power of Port Commissioners to lend money to Corporation for construction of Harrison Road — Ben. Act 3, 1889.

Commissioners bound to provide for payment of interest on debt and for establishment of reserve fund or for annual repayments on account of loans — Ben. Act 2, 1888, s. 37 (*1*), (*2*).

Municipal property: what property vested in Corporation — „ s. 5.

„ „ equitable division of moveable property vested in Commissioners of suburban municipalities; reference to Local Government — „ s. 6.

„ „ rubbish, offensive matter and carcasses removed from streets, etc., to belong to Commissioners — „ s. 308.

„ „ acquisition, disposal and leasing of land — „ ss. 397 to 399.

Application of — „ ss. 35 to 38.

Allotment of, for benefit of area excluded from municipality — „ s. 459.

MUNICIPALITY—*cont.*

VI.—CALCUTTA—*cont.*

4. Funds and Property—*cont.*

Contract:
- Procedure for entering into, and mode of executing; tenders when to be invited; power to compound with contractor for penalty or damages — Ben. Act 2, 1888, s.62.
- Penalty on Chairman, Vice-Chairman or officer or servant of Commissioners having interest in contract made with Commissioners — „ s.50.

Suit against Commissioners, etc.: notice of; limitation; tender of amends — „ s.427.

5. Police.

Police-officers to seize and detain unregistered cart, etc. — „ s.98.
„ to report offences; arrest and detention of offenders — „ s.452.
Power of Local Government to charge cost of police on Port Fund — Ben. Act 3, 1867, ss.8, 9.
Suburbs:
- Police-officers to be appointed under Act 5, 1861 — Ben. Act 4, 1884, section 3.
- Application of Municipal Funds to payment of police — „ ss.2, 8.
- Estimate of income and expenditure on account of police — „ ss.4 to 7.
- What portion of expenditure on police to be paid from Municipal Funds — „ s.7.
- Act not to deprive Commissioner of Police of powers under Ben. Act 2, 1866 — „ s.9.
- Inspector General of Police not to exercise powers over police in suburbs — „ s.9.

6. The Public Health, Safety and Convenience.

(*a*) *Streets and Public Places.*
(*b*) *Buildings.*
(*c*) *Bustees.*
(*d*) *Dangerous Buildings and Places.*
(*e*) *Buildings and Grounds in Insanitary Condition, etc.*
(*f*) *Deposit and Removal of Rubbish and Offensive Matter.*
(*g*) *Drains, Latrines and other Receptacles for Filth.*
(*h*) *House-scavenging.*
(*i*) *Slaughter-places.*
(*j*) *Bathing and Washing Places.*
(*k*) *Water-supply.*
(*l*) *Food, Drink and Drugs.*
(*m*) *Restraint of Infection.*
(*n*) *Disposal of the Dead.*
(*o*) *Offensive and Dangerous Trades.*
(*p*) *Prevention and Extinction of Fire.*
(*q*) *Hackney-carriages, and Animals kept for Profit.*
(*r*) *Entry and Inspection.*
(*s*) *Taking of Census and Registration of Births and Deaths.*
(*t*) *Miscellaneous.*

(*a*) *Streets and Public Places.*

Funds and property applicable to—
- lighting of public streets, places and buildings
- watering and cleansing of streets
- construction, maintenance, etc., of streets, bridges, etc.
- naming of streets
- planting trees, and
- removal of obstructions and projections

— Ben. Act 2, 1888, ss.35, 36 (2), (5), (7).

Commissioners bound to provide for lighting, watering and maintenance of public streets, naming of streets and regulation of new streets — „ s.37(5).

MUNICIPALITY—*cont.*

VI.—CALCUTTA—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*a*) *Streets and Public Places*—cont.

Public streets: certain public streets vested in Commissioners	Ben. Act 2, 1888,	section 202.
„ „ power to make or improve streets, and to acquire premises for those purposes	„	ss. 203, 204.
„ „ power to close street and dispose of site; compensation	„	ss. 203, 205.
„ „ prescribing and maintenance of regular line; compensation	„	ss. 206 to 209.
„ „ Commissioners to maintain, repair and water	„	ss. 210, 211.
„ „ powers and prohibitions with respect to obstructions in, encroachments on, or projections over, street from building, etc.; compensation	„	ss. 212, 219, 221 to 223, 229, 230.
„ „ power to permit temporary erection on occasion of festival, etc.	„	s. 212.
„ „ naming of; penalty for defacing, etc., name	„	s. 217.
„ „ gutters and pipes to houses for carrying water	„	s. 220.
„ „ trimming of hedges or trees bordering on	„	s. 225.
„ „ speedy completion of work when street broken up; lighting, etc., place of work at night	„	s. 226.
„ „ lighting and cleansing of	„	s. 297.
„ „ penalty for unlawfully depositing rubbish or offensive matter in public street, quay, jetty, ghat or landing place, or on river bank	„	ss. 299 to 301.
Private streets; making, levelling, paving, etc., of	„	ss. 213 to 215.
„ „ conversion of, into public streets	„	s. 216.
Alteration of position of gas-pipes, water-pipes, etc., for repair, etc., of street; compensation	„	ss. 227, 228.
Steps to be taken by Commissioners to guard against accident during construction or repair of street	„	s. 296.
Penalty for allowing polluted water or offensive matter to drain, etc., on to street	„	s. 302.
„ „ spilling, etc., offensive matter in street or public place in course of removal, or removing it at prohibited times, etc.	„	s. 304.
Lighting, cleansing, watering and repair by Municipal Corporation of roads and thoroughfares vested in Port Commissioners	Ben. Act 3, 1890,	ss. 67, 68.

See also below, (*b*), (*c*).

(*b*) *Buildings.*

Funds and property applicable to regulation of buildings, numbering of houses, construction, etc., of public halls, offices, etc., and survey of houses and land	Ben. Act 2, 1888,	sections 35, 36(7), (8), (10).
Commissioners bound to provide for numbering of premises and regulation of new buildings	„	s. 37(5).
Numbering of houses; penalty for defacing, etc., number; occupier or owner to maintain number and replace it if removed	„	s. 218.
Roofs and external walls not to be made of inflammable materials	„	s. 224.
New building: sanction of Commissioners to be obtained to site; plans to be submitted; powers of Commissioners as to site and construction; compensation; drainage, plinth, privies, ventilation, etc.	„	ss. 235 to 244, 412(*f*).

MUNICIPALITY—*cont.*

VI.—CALCUTTA—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*b*) *Buildings*—cont.

New huts: application to be made to Commissioners before building or adding to; powers of Commissioners — Ben. Act 2, 1888, secs. 247 to 250.

Power to make bye-laws as to height, mode of construction and ventilation of building — „ s. 412(*e*),(*f*).

Hoards to be put up before erecting or repairing, etc., a building near public street — „ ss. 245, 246.

See also above, (a), and below, (c), (d), (e), (r).

(*c*) *Bustees.*

Commissioners bound to open out and improve bustees and spend a certain sum thereon annually — „ s. 37(3).

Power of Commissioners to define limits of bustee — „ s. 251.

Preparation of standard plan of bustee — „ ss. 252 to 254.

Bringing of huts, roads, drains, etc., into conformity with standard plan — „ ss. 255, 256.

Report by medical officers on unhealthy bustees; execution of improvement works in accordance with report and standard plan annexed thereto — „ ss. 257 to 262.

Provisions as to standard plans — „ s. 263.

Procedure when owner of bustee land desires that it shall cease to be so classed — „ s. 264.

Ownership, etc., of streets, open spaces, etc., in bustees — „ ss. 265 to 267.

Power for Commissioners to acquire unhealthy bustee for purpose of making improvements — „ s. 268.

„ to employ special establishment for cleansing bustees and impose a rate to defray cost — „ s. 269.

„ to require occupiers of bustee to cleanse it — „ s. 270.

(*d*) *Dangerous Buildings and Places.*

Funds and property applicable to securing or removal of dangerous buildings and places — „ ss. 35, 36(2).

Repair, protection or enclosure of dangerous building, tank, hole, etc. — „ ss. 231, 232.

Removal, repair or securing of ruinous or dangerous building; sale of materials and recovery of expenses — „ ss. 233, 234.

(*e*) *Buildings and Grounds in Insanitary Condition, etc.*

Funds and property applicable to reclamation of unhealthy localities and removal and disposal of noxious vegetation — „ ss. 35, 36(4), (5).

Securing, cleansing, etc., of house or land untenanted or in unwholesome state or a nuisance — „ s. 309.

Cleansing, filling-up or draining-off of well, tank, marshy ground or waste or stagnant water injurious to health or offensive — „ ss. 315, 316.

Power to prohibit use for human habitation of building unfit for such use — „ ss. 319, 390.

Abatement of overcrowding in dwelling-house — „ ss. 320, 385(*e*).

MUNICIPALITY—*cont.*

VI.—CALCUTTA—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*f*) *Deposit and Removal of Rubbish and Offensive Matter.*

Funds and property applicable to construction and maintenance of buildings for deposit or discharge of night-soil, and to removal and disposal of offensive matter	Ben. Act 2, 1888,	ss.35,36(4), (5).
Provision of dust-boxes or other receptacles, and deposit therein of rubbish and offensive matter from houses in public streets	,,	ss.298,299, 301.
Removal of sewage, offensive matter and carcasses of animals	,,	ss.303to306.
Penalty for keeping offensive matter for more than 24 hours	,,	s.307
Power to make bye-laws as to deposit and removal and as to charges for removal	,,	s.412(*c*).

(*g*) *Drains, Latrines and other Receptacles for Filth.*

Funds and property applicable to construction and maintenance of drains, latrines, etc.	,,	ss.35,36(4),(5).
Commissioners bound to— complete and extend drainage-works and spend a certain sum thereon annually	,,	s.37(3),(5).
provide for maintenance, etc., of drains, public latrines, etc.		
Carrying out of complete system of drainage	,,	s.271.
Public sewers, drains, etc., vested in Commissioners	,,	s.272.
Powers and duties of Commissioners as to constructing, improving, cleansing and closing public sewers; compensation	,,	s.273.
Power to alter bed of river or stream into which sewage discharged	,,	s.274.
Demolition or alteration of unauthorised drain leading into public sewer; penalty for unlawfully making or altering such drain	,,	ss.275,276.
Provision of drainage from house or land to public sewer, etc.	,,	s.277.
Construction of drain through or under public drain, aqueduct or street	,,	s.278.
Power to require separate drains for polluted and unpolluted water	,,	s.279.
Underground drains connected with public sewer to be made by licensed person only; penalty for breach of rules by licensee	,,	s.280.
Supervision by Commissioners of laying of underground drains	,,	s.281.
Draining of group or block of houses by combined operation	,,	s.282.
Joint use of drain in street or passage common to more than one house	,,	s.283.
Covering and ventilation of drains	,,	ss.284,285.
Branch drains, privies, cesspools, stables and cow-houses:		
Control over, and maintenance of	,,	ss.286,288, 289.
Inspection of; opening of ground; payment of expenses	,,	s.290.
Power to make bye-laws as to	,,	s.412(*g*).
Removal of obstructions from private drain	,,	s.237.
Penalty for putting rubbish, or permitting offensive matter to flow, into public drain	,,	s.291.
Unlawful construction or keeping of latrine, etc., near tank	,,	ss.292,293.
Provision of privies for house or land	,,	s.294.
Commissioners in executing work to provide proper drains, etc.	,,	s.295.

MUNICIPALITY—*cont.*

VI.—CALCUTTA—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*g*) *Drains, Latrines and other Receptacles for Filth*—cont.

Steps to be taken by Commissioners to guard against accident during construction or repair of sewer or drain-	Ben. Act 2, 1888,	section 296.
Penalty for keeping offensive matter for more than 24 hours, or suffering receptacle to be in filthy state	„	s.307.
Provision, maintenance and licensing of public necessaries	„	ss.310 to 312.
Powers exerciseable beyond Calcutta by Municipal Commissioners and local Magistrates for purpose of making connecting sewers or drains	„	s.395.
Power to make bye-laws as to drainage	„	s.412(*g*).
Provision of water for latrines and water-closets	„	ss.156,157.

(*h*) *House-scavenging.*

Funds and property applicable to	„	ss.35,36(5).
Commissioners to maintain establishment for removal of sewage from houses having privies not connected with sewers	„	s.313.

(*i*) *Slaughter-places.*

Funds and property applicable to construction and maintenance of	„	ss.35,36(*4*).
Commissioners bound to provide for regulation of slaughter-houses	„	s.37(5).
Licensing of slaughter-houses	„	ss.341,342.
Provision of slaughter-houses	„	s.343.
Draining and paving of slaughter-houses; supply of water for them; removal of offal, etc.	„	s.344.
Places for sacrifice of goats	„	s.345.
Power to enter and inspect slaughter-house, and seize and destroy, etc., meat unfit for human food	„	ss.365,366.
„ make bye-laws as to management, inspection, and scale of fees	„	s.412(*h*).

(*j*) *Bathing and Washing Places.*

Funds and property applicable to construction and maintenance of wash-houses and public bathing places	„	ss.35,36(*4*).
Provision of; penalties for using unauthorised places	„	ss.338 to 340.
Power to make bye-laws as to —		
time and place of bathing	„	s.412(*b*).
public laundries	„	s.412(*l*).

(*k*) *Water-supply.*

Funds and property applicable to construction and maintenance of water-works, drinking-fountains, tanks and wells	„	ss.35,36(*4*).
Commissioners bound to maintain water-supply	„	s.37(*4*).
Commissioners to provide supply of water, including filtered water in principal public streets and water for domestic purposes and for use on ships	„	ss.150 to 152, 155.
Pressure of water; testing purity of water	„	s.153.
Supply for business purposes	„	s.154.

MUNICIPALITY—*cont.*

VI.—CALCUTTA—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*k*) *Water-supply*—cont.

Meters	Ben. Act 2, 1888	ss.154,155, 180.
Provision of water for latrines and water-closets	„	ss.156,157.
Communication pipes for supply of water to houses	„	ss.158,159, Sch.IX.
Work connected with laying on of water, etc., to be done only by licensed plumber; penalty for breach of duty by licensed plumber	„	ss.166,167, 170.
Inspection of works by Municipal Engineer before establishing connection with service pipes	„	s.168.
Connection with service pipes, and laying of supply pipes under public thoroughfare, to be executed in presence of municipal officer	„	s.169.
Provision of house connections by owner at request of occupier; recovery of cost from occupier; execution of work by occupier in default of owner, and deduction of cost from rent; reference to Commissioners in case of dispute	„	ss.172to175, 177.
Works to be kept in repair by owner of house; in default, occupier may repair, and deduct cost from rent	„	s.176.
Power to enter premises	„	s.160.
„ turn off or cut off water from premises	„	ss.160to162, 167.
Penalties for wasting, diverting, etc., water, damaging pipe, etc.	„	ss.163,164, 171.
Supply of water to persons residing out of Calcutta	„	s.165.
Public tanks, reservoirs, etc., vested in Commissioners	„	s.178.
Power to examine pipes when water fouled by offensive trade; payment of expenses	„	s.179.
Recovery of sums due for water supplied by Commissioners	„	s.180.
Unlawful construction or keeping of latrine, etc., near tank	„	ss.292,293.
Power to prohibit drinking of water likely to engender or spread dangerous disease	„	s.323.
„ make bye-laws as to supply and use of water	„	s.412(*a*).
Powers exerciseable beyond Calcutta by Municipal Commissioners and local Magistrates for purpose of laying pipes or constructing aqueducts	„	s.395.
Application of Chapter VII (ss. 150 to 180), and other parts of Act, when environs included in Calcutta for purposes of water-supply	„	s.454.

(*l*) *Food, Drink and Drugs.*

Markets; Commissioners bound to provide for regulation of	„	s.37(5).
„ power to make bye-laws as to inspection, management, etc., of	„	s.412(*i*).
Municipal markets:		
Funds and property applicable to construction and maintenance of	„	ss.35,36(*4*).
Power to provide; charging and recovery of rents, tolls and fees	„	ss.350,351.
„ expel person disobeying bye-law	„	s.352.
„ sell, let or close	„	ss.353,354.

MUNICIPALITY—*cont.*

VI.—CALCUTTA—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*l*) *Food, Drink and Drugs*—cont.

Private markets:		
Licensing of	Ben. Act 2, 1888,	section 355.
Power to define limits of	„	s. 359.
Maintenance, etc., of approaches, roads, paths and ways	„	ss. 359 to 362.
Licensing of places for sale of fresh meat or fish	„	s. 356.
Penalty for using unauthorised place for sale of meat, etc.; closing of such place	„	ss. 357, 358.
Entry, under Magistrate's warrant, of premises where article unfit for human consumption is offered for sale; search for and seizure and disposal of article	„	s. 363.
Sale of article of food or drink not of the quality, etc., demanded	„	s. 364.
Power of Commissioners to enter and inspect market, shop, building, etc., used for sale, preparation or storage of articles of food, or place used as slaughter-house, and to seize and destroy, etc., articles unfit for food	„	ss. 365, 366.
Compulsory sale of article of food for purposes of analysis	„	ss. 364, 367.
Power to make bye-laws to secure cleanliness of milk-stores, milk-shops and milk-vessels	„	s. 412(*m*).
Drugs: registration and licensing of shops, etc., for retail sale of drugs; licensing of compounders	„	s. 368.
„ entry and inspection of places for sale of drugs; removal and disposal of adulterated, inert, unwholesome or noxious drugs; compensation	„	s. 369.

(*m*) *Restraint of Infection.*

Commissioners bound to provide for preventing or checking spread of dangerous diseases	„	s. 37(5).
Medical practitioners to report cases of cholera, small-pox, diphtheria or typhoid fever to Commissioners; power to extend this obligation to other dangerous diseases	„	s. 321.
Power to enter and inspect places and take measures to prevent spread of dangerous disease	„	s. 322.
„ remove patients to hospital	„	s. 324.
„ prohibit drinking of water likely to engender or spread dangerous disease	„	s. 323.
Disinfection of buildings and articles	„	s. 325.
Destruction of hut or shed; compensation	„	s. 326.
Provision of places for disinfecting or washing clothing, etc.; prohibition of washing infected articles elsewhere; disinfection or destruction under orders of Commissioners; compensation	„	s. 327.
Provision of carriages for infected persons or articles	„	s. 328.
Carriage of infected persons in public conveyance; disinfection of conveyance after carrying small-pox patient	„	ss. 328, 329, 331.
Infected article not to be transmitted, etc., without previous disinfection	„	s. 330.
Infected building not to be let without previous disinfection	„	s. 332.
Penalty for breach of any provision of ss. 321 to 332	„	s. 333.

MUNICIPALITY—*cont.*

VI.—CALCUTTA—*cont.*

6. The Public Health, Safety and Convenience—cont.

(*m*) *Restraint of Infection*—cont.

Power of Commissioners to take special measures on outbreak of dangerous or epidemic disease		Ben.Act2,1888,section334.
Vaccination. *See* VACCINATION, II		

(*n*) *Disposal of the Dead.*

Funds and property applicable to regulation, etc., of	,,	ss.35,36(5).
Burial and burning-grounds :		
Registration of; penalty for using unregistered ground	,,	ss.373,374.
Licensing of	,,	ss.377,380.
Provision of, by Commissioners; fees for burials or cremation	,,	s.378.
Prohibition of use of burial or burning ground dangerous to health of neighbourhood	,,	ss.381to383.
Licensing of sale of fuel, etc., at burning-grounds	,,	s.384.
Power to make bye-laws as to inspection and management of	,,	s.412(*n*).
Making grave or burying corpse in place of worship	,,	ss.379,380,393.
Registration of burials and cremations	,,	ss.375,376.
See also below, (*s*) (*ii*).		

(*o*) *Offensive and Dangerous Trades.*

Funds and property applicable to removal, etc., of dangerous trades and regulation, etc., of offensive trades	,,	ss.35,36(2), (6).
Commissioners bound to provide for regulation of	,,	s.37(5).
Licensing of places for carrying on (including depôts for hay, straw, wood or coal)	,,	ss.346,347 [rep.in pt.Ben. Act1,1893. s.46,s.46A.(ins. Ben.Act1.1894, s.5)],s.348.
Power to direct discontinuance of	,,	s.349.
,, make bye-laws for inspection, management, etc., of places for carrying on	,,	s.412(*j*).
Consumption by furnaces of their own smoke	,,	s.385.

(*p*) *Prevention and Extinction of Fire.*

Roofs and external walls not to be made of inflammable materials	,,	s.224.
Funds and property applicable to payment of cost of fire-brigade	,,	ss.35,36(*l*).
Powers, etc., of Municipal Commissioners under Fire Brigade Act. *See* FIRE.		
See also above, (*o*).		

(*q*) *Hackney-carriages, and Animals kept for profit.*

Carriage of infected person in public conveyance; disinfection of conveyance after carrying small-pox patient	,,	ss.328,329, 331.
Licensing of places for keeping animals for profit	,,	ss.335to337.
Power to make bye-laws as to dairies and licensed cow-houses and stables	,,	s.412(*l*).

MUNICIPALITY—*cont.*

VI.—CALCUTTA—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*r*) *Entry and Inspection.*

Power to inspect for discovery of carriages or animals liable to tax	Ben. Act 2, 1888,	section 84.
Power to inspect building or other premises to ascertain sanitary condition thereof, and to direct cleansing of building	,,	s. 317.
Power of entry for abatement of nuisance	,,	s. 391.
Power to enter house or land to make inspection, survey, measurement, valuation or enquiry or to execute work; notice of entry	,,	s. 393.
Power to enter on lands adjacent to work; compensation; notice of entry	,,	s. 394.
Inspection of—		
branch drains, privies, cesspools, stables and cow-houses	,,	s. 290.
slaughter-houses	,,	s. 412(*h*).
places for carrying on offensive or dangerous trades	,,	s. 412(*j*).
burial and burning grounds	,,	s. 412(*n*).

See also above, (*k*), (*l*), (*m*).

(*s*) *Taking of Census and Registration of Births and Deaths.*

Funds and property applicable to	,,	ss. 35, 36(*3*).
(*i*) Taking of Census:		
Procedure for	,,	ss. 192 to 201.
(*ii*) Registration of Births and Deaths:		
Commissioners bound to provide for	,,	s. 37(5).
,, to keep register and appoint Registrars for districts and sub-registrars for burial and burning-grounds	,,	s. 181.
,, to publish list of registrars and sub-registrars	,,	s. 182.
,, to print register-books	,,	s. 183, Schs. X, XI.
Duties of registrars and sub-registrars	,,	ss. 182, 184, 190, Schs. X, XI.
Information of births and deaths by whom to be given; penalty for not giving information; informant to sign register	,,	ss. 185 to 189, Sch. XI.
Corpse not to be buried or burnt unless certificate produced or entry made in register; penalty	,,	ss. 190, 191, Sch. XI.

(*t*) *Miscellaneous.*

Funds and property applicable to—		
construction and maintenance of hospitals		
vaccination		
maintenance, etc., of squares and gardens		
abatement of nuisances		
survey of houses and land, and preparation of plans	,,	ss. 35, 36(*3*) to (*5*), (*10*) to (*14*), and last clause.
contributions to cost of public ceremony or entertainment		
promotion of primary and technical education		
contributions to neighbouring municipality for sanitary purposes		
provision of free libraries, and		
all objects connected with public safety, health and convenience		

MUNICIPALITY—*cont.*

VI.—CALCUTTA—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*t*) *Miscellaneous*—cont.

Commissioners bound to—		
provide for cleansing and conservancy of Calcutta, and abatement of nuisances	Ben. Act 2, 1888,	s.36(5)to(7).
exercise control over tramways	Ben. Act 2, 1888,	s.36(5)to(7).
devote certain sum annually to improvement of the area newly added to Calcutta	Ben. Act 2, 1888,	s.36(5)to(7).
Power to prohibit making of excavations or digging of cesspools, pits, etc.	„	s.314.
„ take special measures on outbreak of epizootic disease	„	s.334.
Weights and Measures:		
Provision and custody of standards	„	s.370.
Verification and stamping of, and fees therefor	„	ss.370to372.
Nuisances; summary procedure for abatement of	„	ss.385to392.
Penalty for obstructing persons employed by Commissioners, etc., or removing mark	„	s.396.
Power to construct, maintain, work or lease railway or tramway	„	ss.400to403.
„ make bye-laws as to theatres and other places of public resort, recreation and amusement and lodging-houses	„	s.412(*k*),(*l*).

7. Supplemental.

Rules; power to make	„	ss.8,19,49,68, 100,422.
„ penalties for breach of	„	ss.19,417.
„ confirmation and publication of	„	s.49.
Bye-laws; power to make, repeal and alter	„	ss.412,413.
„ confirmation and publication of	„	ss.414,416.
„ publication of, in draft	„	s.415.
„ penalty for breach of	„	s.417.
Notices; preparation and alteration of forms	„	s.433.
„ sealing of; effect of sealing	„	s.433.
„ service of	„	ss.434,435.
Documents generally; service of	„	s.434.
Procedure for requiring execution of work, etc., by owner or occupier; hearing of objections; estimate of cost of work; execution of work by Commissioners in default of owner or occupier, and recovery of cost	„	ss.436to440, 445,451.
Recovery from occupier of sum due by owner; deduction of same from rent; deduction by occupier from rent to meet payments made by him for which owner is responsible	„	ss.441,442, 444.
Occupier may execute work in default of owner, and deduct cost from rent	„	s.446.
Apportionment between owners and occupiers of expenses incurred by Commissioners in their default	„	s.443.
Procedure where occupier opposes execution of Act by owner	„	ss.447,448.
Power to determine which of several owners or occupiers is entitled to right or subject to duty	„	s.449.

MUNICIPALITY—*cont.*

VI.—CALCUTTA—*cont.*

7. Supplemental—*cont.*

Relief to agents and trustees		Ben.Act2,1888,section3 (definition of "owner").
Fees and rents chargeable in certain cases	„	ss.428to430.
Production of licenses	„	ss.431,432.
Prosecutions; initiation and conduct of	„	s.418.
„ limitation of	„	s.419.
„ groundless; compensation for	„	s.421.
Saving of proceedings under other laws	„	s.456.
Power to appoint Magistrates for trial of municipal offences, to be paid out of the general fund	„	s.422.
Compensation may be paid by Commissioners for damage done	„	s.428.
Damage to property of Commissioners to be made good by offender	„	s.420.
Damages, costs and expenses: determination of, by Court of Small Causes; recovery of	„	ss.423to426.
Fines; recovery of	„	s.418.
Vacancies and irregularities not to invalidate proceedings	„	ss.29,33,67, 148,450.
Ben. Act 2, 1888, validated as regards jurisdiction conferred on, and proceedings of, Magistrates and Courts of Small Causes		Act12,1888,s.1.

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY).

1. Preliminary.

Definitions	Bom.Act6,1873,s.3[rep.in pt.Bom.Act3,1886,Bom. Act2,1884,s.3;am.Bom.Act 2,1884,s.49(*a*)]. Bom.Act2,1884,s.4.

2. Constitution and Government.

(*a*) *Constitution of Municipalities.*

Procedure for constituting municipality, permanently or temporarily	Bom.Act2,1884,ss.5,7to11.
Power to alter municipal limits	„ ss.5,10.
„ declare that municipal district shall cease to be such; consequences to ensue thereupon	„ ss.5,10.
Notification of limits and erection of boundary-marks	„ s.6.
Municipal Commissioners to provide for construction and maintenance of boundary-marks	Bom.Act6,1873,s.24(*g*) [am.Bom.Act2,1884, s.49(*e*)].

(*b*) *Constitution of Municipal Committees.*

Election or appointment of Commissioners—

generally	Bom.Act2,1884,ss.11,12, 16(am.Bom.Act4,1885, s.5),ss.17,22,23,45.
for permanent municipal district at a hill station or of small size, etc.	Bom.Act2,1884,s.13.

MUNICIPALITY—*cont.*

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*cont.*

2. Constitution and Government—*cont.*

(*b*) *Constitution of Municipal Committees*—cont.

Power to appoint Commissioners for temporary municipal district		Bom.Act2,1884,section14.
Term of office of Municipal Commissioner	„	s.18(am.Bom. Act1,1888,s.1).
Vacation of office by Municipal Commissioner	„	ss.16(am.Bom.Act 4,1885,s.5),45.
Filling of casual vacancies	„	s.19.
Incorporation of Commissioners of permanent municipal district	„	s.15..
Municipal Commissioners deemed "public servants"	„	s.46.
President and Vice-President; appointment or election of; term of office of; removal of; filling of casual vacancy in office of	„	s.24.
„ „ „ functions of	„	ss.25,26.
Notification of elections and appointments	„	s.20.

(*c*) *Conduct of Business.*

Time for holding meetings; special meetings; notice of meetings	„	s.27(*1*)to(*3*),(*7*),(*8*).
Who to be Chairman of meeting	„	ss.25(*a*),26(*a*),27(*6*).
Quorum	„	s.27(*4*).
Meetings to be ordinarily open to public	„	s.27(*5*).
Vote of majority ordinarily decisive; Chairman has casting vote	„	ss.25,27(*9*).
Power of President, or Chairman of Sub-Committee, to circulate written proposition for votes	„	s.29.
Notice of Commissioners' or Sub-Committee's meeting to be sent in certain cases to Government Executive Engineer or Educational Inspector	„	s.27(*14*).
Certain officers entitled to attend and speak at, and may be required to attend at, meeting of Commissioners or Sub-Committee	„	s.28.
Record and signature of proceedings; proceedings to be kept open to inspection	„	s.27(*15*).
Power to make rules as to conduct of business	„	s.32(*a*).
Joint Committee; appointment of, by Municipal Commissioners and Local Board or Cantonment Committee or other Municipal Commissioners; delegation of powers to, and framing of rules for		Bom.Act1,1884,s.36. Bom.Act2,1884,section31.
Sub-Committee; delegation of functions to; Chairman of; meetings of; decision by majority of votes; Chairman has casting vote; quorum	„	ss.27(*10*) to (*13*),32(*a*).

(*d*) *Officers and Servants.*

President to dispose of questions relating to service, pay, privileges and allowances of	„	s.25(*c*).
Power to make rule as to—		
employment, duties, salaries, allowances and punishment of	„	s.32(*b*),(*c*).
grant of leave to	„	s.32(*d*).
grant of pensions, etc., to, and payment of contributions to provident fund for	„	s.32(*e*),(*f*).
security to be given by	„	s.32(*g*).

MUNICIPALITY—*cont.*

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*cont.*

2. Constitution and Government—*cont.*

(*d*) *Officers and Servants*—cont.

Contribution towards pension and leave-allowances of Government officers employed by Commissioners; notice to Government before dispensing with their services	Bom.Act2,1884,s.32(*j*).	
Power of Commissioner of Division to prevent extravagance in establishments	,,	s.38.
Officers and servants deemed "public servants"	,,	s.46.
Penalty on certain classes of officers and servants resigning without giving two months' notice, or absenting themselves from duty, or committing breach of duty; power to dispense with notice; payment of wages where resignation accepted without notice; power to apply these provisions to other classes of servants; copies of Act to be supplied to employés at nominal price	Bom.Act5,1890.	

(*e*) *General Powers of Official Control.*

Copy of resolutions of Commissioners to be sent to Collector or officer nominated by him	Bom.Act2,1884,s.25(*d*).	
Collector; general powers of control exerciseable by; delegation of such powers to Assistant or Deputy Collector	,,	s.37.
,, power of, to suspend action of Commissioners; report to higher authority	,,	s.39
,, extraordinary powers of, in case of emergency; report to Commissioner of Division	,,	s.40.
Commissioner of Division; power of, to prevent extravagance in establishments	,,	s.38.
Local Government, power of—		
to provide for performance of duties in case of default of Commissioners	,,	s.42.
to supersede Commissioners in case of incompetency, persistent default or abuse of powers; consequences to ensue on supersession	,,	s.43.
General powers of Local Government, Commissioners of Divisions, and Collectors over their subordinates	,,	s.44.
Control of Local Government in educational matters	Bom.Act6,1873,s.24[am. Bom.Act2, 1884, s.49(*e*)].	
Settlement of differences of opinion between Municipal Commissioners, Local Boards and Cantonment Authorities	Bom.Act1,1884,s.36. Bom.Act2,1884,section31.	
Functions of Local Government, with certain exceptions, exerciseable by the Commissioner of Sindh	,,	s.47.

(*f*) *Miscellaneous.*

Power to direct Commissioners of neighbouring municipality to govern a temporary municipal district	,,	s.14.

3. Taxation.

Power to make rules prescribing tolls, cesses, taxes or other imposts to be levied	,,	s.32(*h*).

MUNICIPALITY—*cont.*

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*cont.*

3. Taxation—*cont.*

Cess to be paid for scavenging - - - - - Bom.Act6,1873,sec.57[am. Bom.Act2,1884, s.49(*f*)].

Procedure for imposing taxes - - - - - „ s.21,cl.1,2,3.

Power to require Municipal Commissioners to assign to Local Board portion of collections from tax on pilgrims - - - „ s.21,cl.5[ad.Bom. Act2,1884, s.49(*c*)].

Power of Local Government to suspend levy of objectionable tax, etc. Bom.Act2,1884,s.41.

Recovery of arrears of taxes, with penalty for non-payment - - Bom.Act6,1873,s.84[am. Bom.Act2, 1884, s.49(*i*)].

Farmers or agents for recovery of *tolls*, etc., deemed "public servants" Bom.Act2,1884,s.46.

Levy in municipality of tax under Bombay Highway Act, 1883, or contribution from Municipal Funds for objects of that Act. *See* TAXES.

4. Municipal Fund and Property.

Municipal Fund; constitution of - - - - - Bom.Act6,1873,section18.

„ „ custody and investment of - - - „ s.26[am.Bom.Act. 2,1884,s.49(*f*)].

„ „ compensation when payable out of - - „ s.83,cl.3.

„ „ accounts and estimates - - - - „ ss.88,89,90,94[am. Bom.Act2,1884, s.49(*j*),(*k*),(*l*)].

„ „ assignment by District Local Board of proceeds of certain taxes levied by Board in municipality; expenditure of such moneys on education - Bom.Act1,1884,ss.47,48.

Municipal property; what property vested in Commissioners - Bom.Act6,1873,sec.17[am. Bom.Act2, 1884, s.49(*b*), rep.in pt.*Ib.*s.3].

„ „ management of certain public institutions vested in Commissioners - - - „ s.24[am. Bom.Act 2,1884,s.49(*e*)].

„ „ previous sanction of Commissioner of Division required to certain leases and transfers - Bom.Act2,1884,s.15.

„ „ acquisition of land for Commissioners - Bom.Act6,1873,section25.

„ „ damage to, to be made good; determination and recovery of amount of damage - - „ s.83.

Application of - - - - - - - - „ ss.23,24,(am. Bom. Act2,1884,s.49), s.82. Bom.Act2,1884,ss.40,42.

Payment by Municipal Commissioners of expenses incurred for checking infectious disease. *See* INFECTIOUS DISEASE.

Disposal of, when local area ceases to be a municipal district - „ s.5.

Suit against Commissioner or officer or servant, etc.: notice; limitation - - - - - - - - - „ s.48.

Contract; Commissioner not personally liable for contract, but may be sued for recovery of money misapplied - - - - „ s.21.

MUNICIPALITY—*cont.*

VII.—BOMBAY BRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*cont.*

4. Municipal Fund and Property—*cont.*

Contract; procedure for entering into, and mode of executing - Bom.Act2,1884, s.30.
„ penalty on Commissioner or officer or servant being interested in contract made with Commissioners - „ s.45.

5. Police.

Police to report offences, and to assist Municipal officers and servants - Bom.Act6,1873,s.87,cl.2. (rep.in pt.Bom. Act2,1884,s.3).
Arrest by police; detention of person arrested - - - „ s.87,cl.1.
Rates not payable by Government on houses, etc., occupied by - Bom.Act4,1890,sec.77(*1*).
Duty of Municipal Commissioners to provide for accommodation of „ s.77(*2*),(*3*).

6. The Public Health, Safety and Convenience.

(*a*) *Streets, Bridges, Public Places, etc.*
(*b*) *Buildings.*
(*c*) *Dangerous Buildings and Places.*
(*d*) *Buildings and Grounds in Insanitary Condition, etc.*
(*e*) *Deposit and Removal of Rubbish and Offensive Matter.*
(*f*) *Drains, Latrines and other Receptacles for Filth.*
(*g*) *Scavenging.*
(*h*) *Slaughter-houses.*
(*i*) *Bathing and Washing Places.*
(*j*) *Water-supply.*
(*k*) *Food and Drink.*
(*l*) *Restraint of Infection.*
(*m*) *Disposal of the Dead.*
(*n*) *Offensive and Dangerous Trades or Practices.*
(*o*) *Prevention of Fire.*
(*p*) *Job-horses, etc.*
(*q*) *Entry and Inspection.*
(*r*) *Taking of Census and Registration of Births, Marriages and Deaths.*
(*s*) *Miscellaneous.*

(a) Streets, Bridges, Public Places, etc.

Commissioners to provide for constructing, altering and maintaining public streets, bridges, causeways and culverts - - - Bom.Act6,1873,sec.24(*9*) [am.Bom.Act2, 1884,s.49(*e*)].
Power to make or improve new public streets or roads and build bridges, etc., therefor; power to close public streets or roads; acquisition and sale or leasing of land for building sites - - „ s.28.
Commissioners to guard against accidents in constructing or repairing streets, etc., and use light at night; penalty for extinguishing light, etc. - - - „ ss.50,74,cl.1.
„ to provide for lighting, watering and cleansing of, and removal of obstructions and projections in, public streets and places - - - - „ s.24(*1*),(*2*),(*6*) [am.Bom.Act2, 1884,s.49(*e*)].
Penalty for unlawfully altering, etc., or not restoring, materials, fences, etc., of public street - - - - - „ ss.47,74,cl.1.
Making of new streets, under control of Commissioners; penalty for disobeying instructions of Commissioners - - - „ ss.29,74,cl.1.
Hoards to be put up before erecting, pulling down or repairing building on street; lighting and removal of hoards; penalty - „ ss.49,74.
Naming of streets; penalty for defacing, etc., name - - - „ s.24(*11*)[am.Bom. Act2,1884,s.49(*e*)]. ss.45,74,cl.1.

MUNICIPALITY—*cont.*

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*a*) *Streets, Bridges, Public Places, etc.*—cont.

Troughs and pipes for carrying water from building	Bom.Act6,1873,section41.
Removal of encroachment from building; compensation	,, s.42.
Penalty for placing obstruction or depositing package, etc., in public street	,, ss.48,74,cl.1.
Power to permit temporary erection in public street, or temporary piling of fuel in bye-street or space	,, s.48.
Depositing timber or building materials or making hole in street; fencing and lighting of hole, etc.; penalty	,, ss.51,74.
Cutting or trimming of hedges bordering on, or trees or shrubs overhanging, public street	,, s.43.
Penalty for allowing offensive matter to flow, etc., upon street or surface drain therein	,, ss.54,74,cl.1.
Penalty for removing offensive matter along street at unauthorised time, or setting down filth receptacle in public place	,, ss.56,74.
Unlawful deposit of offensive matter, rubbish, etc., in street; penalty	,, ss.53,cl.1,74,cl.1.
Penalty for obeying call of nature in street	,, ss.64,74.
,, tethering animals in public street	

(*b*) *Buildings.*

Notice of new buildings; powers of Municipal Commissioners; penalty	,, ss.33,74,cl.1.
Notice of new range or block of huts or sheds; powers of Municipal Commissioners	,, s.34.
Building not to be erected on lower level than will admit of drainage being led into public sewer, etc.	,, s.32.
Regulation of use of inflammable materials in external walls and covering of roofs	,, s.31.
Regulation of line of buildings; removal of projection or encroachment from building; compensation	,, s.30[am.Bom.Act 2,1884,s.49(*g*)].
Removal of encroachment from building; compensation	,, s.42.
Permission to put up projecting verandahs, etc.; penalty	,, ss.42,cl.2,74.
Affixing brackets for telegraph wires or lamps, and pipes for ventilation of sewers or water works	,, s.44.
Numbering of buildings; penalty for defacing, etc., number	,, s.24(*11*)[am.Bom. Act2,1884,s.49(*e*), ss.45,74,cl.1].
Unauthorised building over sewer, water-course, etc., vested in Commissioners; penalty	,, ss.38,cl.1,74.
Commissioners to provide for lighting of public buildings	,, s.24(*1*)[am.Bom. Act2,1884,s.49. (*e*)].

See also below, (c), (d).

(*c*) *Dangerous Buildings and Places.*

Commissioners to provide for securing or removing dangerous buildings or places	,, s.24(7)[am.Bom. Act2,1884,s.49. (*e*)].

MUNICIPALITY—*cont.*

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*c*) *Dangerous Buildings and Places*—cont.

Removal or repair of ruinous or dangerous building or wall in street; erection of fence for protection of passengers	Bom. Act 6, 1873,	section 46.
Repair, protection or enclosure of dangerous place; penalty	„	ss. 52, 74, cl 2.

(*d*) *Buildings and Grounds in Insanitary Condition, etc.*

Commissioners to provide for removal of noxious vegetation and reclaiming of unhealthy localities	„	s. 24(3)(7) [am. Bom. Act 2, 1884, s. 49(*e*)].
Cleansing of building or land for sanitary reasons	„	s. 59.
Cleansing, etc., of building or land in filthy and unwholesome state or a nuisance or overgrown with rank vegetation; penalty	„	ss. 58, 74.
Power to prohibit use for human habitation of building unfit for such use	„	s. 58.
Powers for removal, etc., of huts or sheds occasioning risk of disease; compensation for removal	„	s. 35.

(*e*) *Deposit and Removal of Rubbish and Offensive Matter.*

Hours for removal; properly covered carts or vessels to be used; spilling of offensive matter during removal; routes for removal	„	ss. 56, 74.
Penalty for keeping offensive matter more than 24 hours, or not in proper receptacle, or for not properly removing filth	„	ss. 55, 74.
Power to establish places beyond municipal limits for disposal of carcasses of animals	„	s. 71.
Power to make bye-laws for disposal of carcasses of animals	Bom. Act 2, 1884,	s. 33(*c*).

(*f*) *Drains, Latrines and other Receptacles for Filth.*

Municipal Commissioners to provide for construction and maintenance of public latrines, privies, urinals, drains, sewers and drainage works, and cleansing of public sewers	Bom. Act 6, 1873,	s. 24(3), (9) [am. Bom. Act 2, 1884, s. 49(*e*)].
Provision of drainage for building in or near street	„	s. 37, cl. 1.
Cesspools and covered sewers or drains to be provided with proper coverings or means of ventilation	„	s. 37, cl. 2.
Unauthorised making of drain running into or out from sewer or drain vested in Municipal Commissioners; penalty	„	ss. 38, cl. 1, 74.
„ building over sewer, drain, culvert, gutter, tunnel, water-pipe or water-course, vested in Municipal Commissioners; penalty	„	ss. 38, cl. 1, 74.
Provision of privies or cesspools	„	s. 36, cl. 1.
„ and maintenance of latrines and urinals for workmen or market	„	s. 36, cl. 2.
Shutting out of privy from view, etc.	„	s. 36, cl. 3.
Sewers, drains, privies, house-gullies and cesspools— to be under control of Municipal Commissioners	„	s. 39, cl. 1.
private; alteration and maintenance of		
„ penalty for constructing, contrary to directions of Municipal Commissioners, etc.; removal of same	„	ss. 39, cl. 2, 74.
Removal of encroachment from building; compensation	„	s. 42.

MUNICIPALITY—*cont.*

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*f*) *Drains, Latrines and other Receptacles for Filth*—cont.

Penalty for unlawfully putting offensive matter or rubbish into sewer, drain, culvert, tunnel or gutter	Bom.Act6,1873,ss.53,cl.2, 74,cl.1.
„ „ not keeping offensive matter in proper receptacle, or for suffering receptacle to be in filthy or noxious state or not cleansing same	„ ss.55,74.
Municipal Commissioners to guard against accidents in constructing or repairing sewer or drain, and to use light at night; penalty for extinguishing light, etc.	„ ss.50,74,cl.1.

(*g*) *Scavenging.*

Municipal Commissioners to provide for	„ s.24(*3*)[am.Bom. Act2,1884, s.49(*e*)].
Power to provide scavenging, after notice; special cess to be paid	„ s.57[am.Bom. Act,2,1884, s.49(*f*)].

(*h*) *Slaughter-houses.*

Private; licensing of	„ s.66,cl.1.
Penalty for using place as private slaughter-house contrary to directions or without license	„ ss.66,cl.2, 74,cl.1.
Municipal Commissioners to provide for construction and maintenance of	„ s.24(*9*)[am.Bom. Act2,1884, s.49(*e*)].
Power to open public slaughter-house, and take fees for use thereof or lease such fees; power to close public slaughter-house	„ s.67,cl.1.
Penalty for using public slaughter-house without permission	„ ss.67,cl.2,74, cl.1.
Power to establish slaughter-houses beyond municipal limits	„ s.71.
„ make bye-laws for regulating and inspecting slaughter-houses	Bom.Act2,1884,s.33(*a*).

See also below, (*q*).

(*i*) *Bathing and Washing Places.*

Municipal Commissioners to provide for construction and maintenance of baths and washing-places	Bom.Act6,1873,sec.24(*9*) [am.Bom.Act2, 1884,s.49(*e*)].
Provision of	„ s.60.
Penalty for unlawfully bathing or washing in, or fouling water in	„ ss.61,74,cl.1.

(*j*) *Water-supply.*

Municipal Commissioners to provide for construction and maintenance of drinking-fountains, tanks, wells, drains, etc., and obtaining of proper and sufficient supply of water	„ s.24(*9*),(*10*)[am. Bom.Act2,1884, s.49(*e*)].
Unauthorised building over water-pipe or water-course vested in Municipal Commissioners; penalty	„ ss.38,cl.1,74.

MUNICIPALITY—*cont.*

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*j*) *Water-supply*—cont.

Cutting or trimming of trees or shrubs overhanging public tank, well or other source of water-supply	Bom.Act6,1873,section43.
Cleansing, filling-up, draining-off, etc., of pool, ditch, tank, well, etc., injurious to health or offensive	„ s.62.
Penalty for unlawfully putting offensive matter or rubbish into water-course	„ ss.53,cl.2, 74,cl.1.
„ „ unlawfully bathing or washing in, or fouling water in, stream, tank, etc., vested in Municipal Commissioners	„ ss.61,74,cl.1.
Power to make bye-laws for regulating water-supply	Bom.Act2,1884,s.33(*c*).

(*k*) *Food and Drink.*

Licensing of private markets	Bom.Act6,1873,s.66,cl.1.
Penalty for selling in private market contrary to directions or without license	„ ss.66,cl.2, 74,cl.1.
Municipal Commissioners to provide for construction and maintenance of markets	„ s.24(*9*)[am.Bom. Act2,1884, s.49(*e*)].
Power to open public market, and take fees for use thereof or lease such fees; power to close public market	„ s.67,cl.1.
Penalty for selling in public market without permission	„ ss.67,cl.2, 74,cl.1.
Power to make bye-laws for regulating and inspecting markets and places used for animals the produce of which is sold	Bom.Act2,1884,s.33(*a*).

See also below, (*q*).

(*l*) *Restraint of Infection.*

Municipal Commissioners to—	
provide special medical aid and accommodation for the sick in time of epidemic disease	Bom.Act6,1873,sec.24(*14*) [am.Bom.Act2, 1884,s.49(*e*)].
take measures to prevent, meet, mitigate or suppress epidemic disease	„ s.73.

(*m*) *Disposal of the Dead.*

Municipal Commissioners to provide, change and regulate places for	„ s.24(8)[am.Bom. Act2,1884, s.49(*e*)].

(*n*) *Offensive and Dangerous Trades or Practices.*

Municipal Commissioners to provide for regulating or abating offensive or dangerous trades or practices	„ s.24(5)[am.Bom. Act2,1884, s.49(*e*)].
Prohibition or regulation of; penalty	„ s.69[am.Bom.Act 2,1884,s.49(*h*)], s.74.
Power to make bye-laws for licensing, inspecting and regulating places used for	Bom.Act2,1884,s.33(*b*).
Consumption by furnaces of their own smoke; penalty	Bom.Act6,1873,s.65.

MUNICIPALITY—*cont.*

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*o*) *Prevention of Fire.*

Municipal Commissioners to provide for extinguishing fires and protecting life and property when fires occur	Bom.Act6,1873,s.24(*4*)[am. Bom.Act2,1884, s.49(*e*)].	
Regulation of use of inflammable materials in external walls and covering of roofs	„	s.31.
Gunpowder or firework manufactories, and places used for storing explosive substances or hay, straw, fodder, wood, coal or other combustible material:		
Power to prohibit or regulate; penalty	„	ss.69,74.
„ make bye-laws for licensing, inspecting and regulating	Bom.Act2,1884,s.33(*b*).	

(*p*) *Job-horses, etc.*

Power to make bye-laws for regulating and inspecting places used for horses or other animals let out on hire	„	s.33(*a*).

(*q*) *Entry and Inspection.*

Power to enter premises and inspect sewer, drain, privy, house-gully or cesspool; opening of ground; payment of expenses	Bom.Act6,1873,section 40.	
„ enter building or land and direct cleansing for sanitary reasons; notice of entry	„	s.59.
„ enter building or land to make survey or inspection or to execute work; notice of entry; precautions to be observed in entering dwelling	„	s.80.
„ enter and inspect place used for sale or storage of articles of food or drink, or slaughter-house		
„ examine such articles, and seize any unfit for food or drink	„	s.68.
Destruction or disposal of articles unfit for food or drink; punishment of owner		
Power to make bye-laws for inspection of markets, slaughter-houses and places used for keeping animals or carrying on offensive or dangerous trade	Bom.Act2,1884,s.33(*a*),(*b*).	

(*r*) *Taking of Census and Registration of Births, Marriages and Deaths.*

Municipal Commissioners may provide for taking census and must provide for registration of births and deaths	Bom.Act6,1873,s.24(*12*), (*18*)[am.Bom.Act2, 1884,s.49(*e*)].	
Power to make bye-laws for taking census and registering births, marriages and deaths	Bom.Act2,1884,s.33(*d*).	

(*s*) *Miscellaneous.*

Municipal Commissioners to provide for—		
public vaccination		
establishing and maintaining public hospitals and dispensaries	Bom.Act6,1873,s.24(*12*), (*13*),(*15*)[am.Bom.Act 2,1884,s.49(*e*)].	
public medical relief		
establishment and maintenance of middle class and primary schools		

MUNICIPALITY—*cont.*

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*s*) *Miscellaneous*—cont.

Municipal Commissioners may provide for—	
erecting or maintaining public parks, gardens, libraries, museums, colleges, schools (not being middle class or primary), lunatic asylums, halls, offices, dharmsalas, rest-houses and other public buildings	Bom.Act6,1873,s.24(16) to(21)[am.Bom.Act2, 1884,s.49(*e*)].
planting and maintaining trees	
sanitary measures	
relief and relief-works in time of famine or scarcity	
a survey, or	
other measures likely to promote the public health, safety, convenience or education	
Power to declare area in which periodical fair is held or which is visited periodically by pilgrims to be a temporary municipal district	Bom.Act2,1884,s.8.
Unlawful deposit of offensive matter or rubbish on public quay, jetty or landing place, or on seashore or river-bank; penalty	Bom.Act6,1873,sec.53,cl.1 (am.Act16,1895), s.74,cl.1.
Penalty for keeping animal so as to be a nuisance	„ ss.55,74.
„ „ permitting animals to stray	„ ss.64,74.
„ „ unlawful storing or using of nightsoil, manure or substance emitting offensive smell	„ ss.63,71,cl.4.
Nuisances, public; Municipal Commissioners to provide for abatement of	„ s.24(3),(5)[am. Bom.Act2,1884, s.49(*e*)].
„ „ power to institute prosecution for	„ s.82.
Compensation when payable out of Municipal Fund	„ s.83,cl.3.

7. Supplemental.

Rules; general power to make	Bom.Act2,1884,secs.12(*c*), 32.
„ confirmation of	„ s.32(*k*).
Bye-laws; general power to make	„ s.33.
„ penalty for breach of	
„ to be published in draft	„ s.34.
Rules and bye-laws to be available for inspection and purchase	„ s.36.
Notice to fix time for doing act	Bom.Act6,1873,section75.
„ service of	„ s.76.
„ not invalid for defect of form	
„ when not complied with, Municipal Commissioners may perform act	„ s.75.
Municipal Commissioners may execute work in default of owner or occupier; recovery of cost; deduction from rent of sum paid by occupier; saving of contracts	„ s.77.
Recovery of moneys due to Municipal Commissioners	„ s.84[am.Bom. Act2,1884, s.49(*s*)].

MUNICIPALITY—*cont.*

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*cont.*

7. Supplemental—*cont.*

Occupier may execute work in default of owner and recover cost from him or deduct it from rent - - - - - Bom.Act6,1873,section 78.
Agent or trustee doing act required to be done by owner; relief to - „ s.3.
Procedure and penalty where occupier opposes owner in execution of act - - - - - - - - - - „ s.79.
Fees; general power to charge - - - - - s.22. Bom.Act2,1884,s.32(*h*).
„ recovery of - - - - - - - - Bom.Act6,1873,section84c
Prosecutions: power to institute; expenses; limitation - - „ s.82.
„ may be instituted before any Magistrate, whether he is a Municipal Commissioner or not - - - „ s.84.
Fines; recovery of - - - - - - - - „ s.84.
Arbitration in case of dispute as to compensation, damages, costs or expenses - - - - - - - - - - „ s.81.
Vacancies and irregularities not to invalidate proceedings - - „ ss.76,85. Bom.Act2,1884,s.27(*16*),(*17*).

VIII.—CITY OF BOMBAY.

1. Preliminary.

Definitions - - - - - - - - - - Bom.Act3,1888,ss.3,11(*3*),89(*1*),115(*3*),130,192,220,262,297,337,398.

2. Constitution and Government.

(*a*) *Municipal Authorities.*

Municipal Corporation: constitution and incorporation of - - Bom.Act3,1888,section 5.
„ „ term of office of Councillors; filling of casual vacancies; publication of names of Councillors - - - - „ ss.6to10.
„ „ qualifications and disqualifications of voters and Councillors - - - - „ ss.11to18.
„ „ preparation and revision of list of voters; appeal to Chief Judge of Small Cause Court - - - - - „ ss.19to21.
„ „ procedure for election of Councillors; election petitions to be heard by Chief Judge of Small Cause Court; procedure if election fails - - - - - „ ss.22to34, Sch.B.
„ „ Government appointments of Councillors when to be made - - - „ s.35.
„ „ Councillors deemed "public servants" - „ s.521.
„ „ conduct of business - - - „ s.36.
„ „ President; appointment and term of office of; filling casual vacancy in office of - „ s.37.
„ „ Committee: Consultative; power to appoint „ s.38.

MUNICIPALITY—*cont.*

VIII.—CITY OF BOMBAY—*cont.*

2. Constitution and Government—*cont.*

(*a*) *Municipal Authorities*—cont.

Municipal Corporation: Committee: Joint Schools Committee to be appointed by Corporation and Local Government for purposes of primary education: term of office of members; publication of names; Chairman; establishment; powers and duties of Committee - -	Bom. Act 3, 1888,	ss.39,461 (*u*).
" " " For purposes of secondary or technical education: appointment and constitution of Committee; its powers and duties	"	ss.40,461(*v*).
" " " Hospital Committee: appointment and constitution of Committee; its powers and duties	"	ss.41,461(*v*).
Standing Committee: constitution of; appointment and retirement of members; filling of casual vacancies -	"	ss.42,43,45 to48.
" " Chairman: appointment and term of office of; filling of casual vacancy in office of -	"	s.44.
" " conduct of business, and appointment, etc., of sub-committees - - - - -	"	ss.49,461(*t*).
" " fee payable to members of - - -	"	s.50.
Municipal Commissioner and Deputy Municipal Commissioner:		
Appointment, term of office and removal of Commissioner -	"	s.54.
" position and functions of Deputy Municipal Commissioner - - - - - -	"	ss.55,56.
Remuneration of - - - - - - -	"	ss.57,58.
Leave; leave-allowance; acting appointments - - -	"	s.59.
Interest in contract or employment with Corporation disqualifies for office - - - - - - - -	"	s.60.
Deemed "public servants" - - - - -	"	s.521.
Municipal Commissioner; special functions of - - -	"	s.64(*3*.)
" " heads of certain Departments to be subordinate to - - -	"	s.66(*4*).
" " to prepare annual report - -	"	s.124.
Respective functions of the several Municipal Authorities - -	"	s.64.
Power of Corporation to require Committees, Sub-committees or Commissioner to furnish documents, etc. - - - -	"	ss.65,66.

(*b*) *Officers and Servants.*

Executive Engineer and Executive Health Officer: appointment, term of office, remuneration and removal of; time within which vacancy in office of, must be filled - - - - -	"	ss.74,75.
Executive Health Officer to be consulting officer of health under Bom. Act 6, 1867 (Sanitation, Bombay City) - - -	"	s.76.
Secretary: appointment, duties, remuneration and removal of -	"	ss.77,78,528, Sch.R,cl.7.

MUNICIPALITY—*cont.*

VIII.—CITY OF BOMBAY—*cont.*

2. Constitution and Government—*cont.*

(*b*) *Officers and Servants*—cont.

Clerks and servants subordinate to Secretary; their appointment, remuneration and duties	Bom. Act 3, 1888,	section 78.
Other officers and servants: appointment and remuneration of	„	s. 79.
Permanent officers and servants not to be employed except as provided by foregoing sections	„	s. 80.
Officers and servants deemed "public servants"	„	s. 521.
Security to be given by	„	s. 81(*a*).
Leave, leave-allowances, temporary appointments during leave, pensions, etc.; contributions to Provident Fund	„	ss. 81, 84, 85.
Powers of appointment and punishment in whom to vest	„	ss. 82, 83.
Interest in contract or employment with Corporation disqualifies for office	„	s. 86.
Penalty on certain classes of officers and servants resigning without giving two months' notice, or absenting themselves from duty, or committing breach of duty; power to dispense with notice; payment and wages where resignation accepted without notice; power to apply Act to other classes of servants; copies of Act to be supplied to employés at nominal price	Bom. Act 5, 1890.	
Power of Municipal Commissioner to invest municipal officer with certain of his functions	Bom. Act 3, 1888,	section 68.

(*c*) *General Powers of Official Control.*

Power of Local Government—		
to repeal bye-laws	„	s. 470.
to provide for performance of duties in default of Municipal Authority	„	ss. 518, 520.
to enforce repair, etc., of Vehar Water-works	„	ss. 519, 520.
to call for extracts from proceedings	„	s. 526.

3. Taxation.

Taxes to be imposed	„	ss. 139 to 143 (am. Bom. Act 4, 1888, s. 5), 180, 190, 192. Schs. G, H (rep in pt. Bom. Act 4, 1888, s. 7).
Procedure for imposing taxes	„	ss. 125 to 129, 134, 196.
Compounding for water-tax	„	s. 169.
„ „ tax on vehicles and animals	„	s. 185.
Property taxes:		
From whom leviable	„	s. 146.
Apportionment of responsibility when premises are let or sub-let	„	ss. 147, 148.
Notice of transfer of property liable to	„	ss. 149 to 151, Schs. E, F.
„ erection, enlargement, re-occupation or demolition of building liable to	„	ss. 152, 153.

MUNICIPALITY—*cont.*

VIII.—CITY OF BOMBAY—*cont.*

3. Taxation—*cont.*

Property Taxes—*cont.*:
Assessment of - - - - - - - - - Bom Act 3, 1888, ss. 154 to 168.
Refund of tax on unoccupied property - - - - - „ ss. 174 to 179.
Water-tax: power to charge for water by measurement, instead of levying tax - - - - - - „ s. 169.
„ Government and Port Trust to be charged by measurement - - - - - - - „ s. 170.
„ recovery of, by owner from occupier - - „ s. 173.
Halalkhor-tax: power to fix tax at special rate for hotels, clubs, etc. „ s. 172.
„ to be fixed at special rate for premises occupied by Government or Port Trust - - „ s. 172.
„ recovery of, by owner from occupier - - „ s. 173.
Tax on Vehicles and Animals:
Provisions for ascertaining and recording names of persons liable to pay the tax - - - - - - - „ ss. 182, 186. to 189.
Toll on vehicles entering the City from Salsette:
Driver of vehicle paying toll to receive ticket - - - „ s. 191.
Town duties:
Tables of, to be posted up - - - - - - „ s. 193.
Refund of, when permissible, and how made - - - „ ss. 194(2), 195, 213(2), 215.
Application of Customs law for punishment of offences and reward of informers - - - - - - - - „ s. 478.
Bombay Port Trust Act, 1879, not to affect right of Corporation to collect - - - - - - - - Bom. Act 6, 1879, s. 69(a).
Exemptions from taxes:
Buildings occupied for public worship or for charitable purposes, and buildings and lands vested in the Corporation, exempted from the general tax - - - - - - - Bom. Act 3, 1888, section 143.
Buildings and lands vested in Government exempted from the general tax; payment to be made to Corporation in lieu of such tax; sum payable how to be ascertained - - - „ ss. 143, 144 (am. Bom. Act 4, 1888, s. 5).
Payment of lump sum by Bombay Port Trust to Corporation in lieu of general tax; duties of Corporation in return for such payment; settlement by Government of disputes - - Bom. Act 6, 1879, s. 36 (am. Bom. Act 3, 1883, s. 145). ss. 37, 38.
Drinking-fountains, tanks, etc., used for gratuitous supply of water, exempted from water-tax - - - - Bom. Act 3, 1888, section 171.
Certain property exempted from—
tax on vehicles and animals - - - - - „ ss. 181 (am. Bom. Act 4, 1888, s. 5) 183, 184
toll on vehicles entering the City from Salsette - - „ s. 190(1).
Government property exempted from town-duties - - „ s. 194.
Taxes when payable - - - - - - - - „ ss. 197 to 199.
Appeal to Chief Judge of Small Cause Court against taxation; limitation - - - - - - - - - „ ss. 217 to 219.
Reference of questions by Chief Judge to High Court - - Act 12, 1888, s. 2.

MUNICIPALITY—*cont.*

VIII.—CITY OF BOMBAY—*cont.*

3. Taxation—*cont.*

Collection of taxes - - - - - - - - Bom. Act 3, 1888, secs. 200 to 202, 209 to 213, 215, Sch. I.

Contractors, etc., for collection of taxes, deemed "public servants" - " s. 521.

Leasing of tolls - - - - - - - - " s. 213.

Recovery of taxes by distress and sale - - - - " ss. 203 to 208, 214, Schs. J, K, L.

Power to write off irrecoverable taxes - - - - " s. 216.

Power of entry for discovery of vehicles or animals liable to tax, and power to examine persons liable to pay tax on vehicle or animal - " s. 189.

4. Funds and Property.

Municipal Fund; constitution of - - - - - - " s. 111.

" " application of - - - - - - " ss. 118, 138, 518 to 520 (am. Bom. Act 4, 1888, s. 4),

" " temporary payments from, for work urgently required - - - - - " s. 119.

" " compensation when payable out of - - " s. 501.

" " authority on which money may be paid from - " s. 113.

" " custody and investment of - - - " ss. 112, 114, 122 (am. Bom. Act 1, 1894, ss. 4, 5).

" " accounts - - - - - - - " ss. 123, 124, 135 to 138 (am. Bom. Act 4, 1888, s. 4).

" " budget estimates, and sanction to expenditure - " ss. 67, 115 to 117, 125 to 134.

" " payment of debts due to Government and municipal security-holders; attachment of Municipal Fund - - - - - - - " ss. 93 to 103 (am. Bom. Acts 4, 1888, s. 5, and 1, 1894, ss. 2, 3, 4).

" " sinking fund to be maintained to secure repayment of certain loans - - - - " s. 104

" " publication and circulation of annual account of balances due on debt and loans - - - " s. 105.

" " borrowing powers of Corporation; form of debenture - - - - - - - " ss. 106 to 110 (am. Bom. Act 4, 1888, ss. 2, 3), Schs. C, D

School Fund; constitution of - - - - - " s. 120.

" " administration of - - - - - - " ss. 39(7), 461(u)

MUNICIPALITY—*cont.*

VIII.—CITY OF BOMBAY—*cont.*

4. Funds and Property—*cont.*

School Fund; authority on which money may be paid from - - Bom.Act3,1888,s.39(8).
Other special funds; power to constitute - - - - „ s.121.
Mortgages of rates and taxes transferable by endorsement; validation of past transfers - - - - - - Act15,1876,s.2(pt.rep.Act 1,1879),s.3.
Power to consolidate, renew and sub-divide debentures - - „ ss.4,5,Sch.
Fixed sum to be paid annually to Corporation from excise revenue - Bom.Act5,1878,s.63.
Municipal property; what property vested in Corporation - - Bom.Act3,1888,section88.
„ „ conditional vesting of Vehar Water-works in Corporation - - - - - - „ ss.89,100 (am.Bom. Act4,1888, s.5).
„ „ power to Corporation to acquire property; procedure for acquiring immoveable property; application of Land Acquisition Act - „ ss.87,90,91.
„ „ procedure for disposal of - - - „ s.92.
„ „ refuse, etc., collected by municipal servants or contractors to be property of Corporation - „ s.366.
Contract; procedure for entering into, and mode of executing - „ ss.69to71.
„ tenders when to be invited before entering into - - „ s.72.
„ security when to be taken for performance of - - „ s.73.
„ penalty on Municipal Councillor, etc., having interest in contract made with Corporation - - - „ s.474.
Suits; notice, limitation, etc. - - - - - „ s.527.

5. Police.

Corporation to pay part of annual expenses of police - - „ s.62(*a*).
Police Commissioner and his subordinates to co-operate with Municipal Commissioner - - - - - - - „ s.522(*1*).
Police to report offences and assist Municipal Commissioner, etc. - „ s.522(*2*).
Police-officers to aid Municipal Fire Brigade - - - „ s.362.
Powers of, in respect of animal tethered in public street - - „ s.316.
Power of, to remove to hospital person suffering from dangerous disease - - - - - - - - „ s.424.
„ to arrest offenders; detention of offenders - - „ s.516.

6. The Public Health, Safety and Convenience.

(*a*) *Streets, etc.*
(*b*) *Buildings.*
(*c*) *Dangerous Buildings and Places.*
(*d*) *Buildings and Grounds in Insanitary Condition, etc.*
(*e*) *Deposit and Removal of Rubbish and Offensive Matter.*
(*f*) *Drains, Latrines and other Receptacles for Filth.*
(*g*) *Slaughter-houses.*
(*h*) *Bathing and Washing Places.*
(*i*) *Water-supply.*
(*j*) *Food, Drink and Medicine.*
(*k*) *Restraint of Infection.*
(*l*) *Disposal of the Dead.*
(*m*) *Offensive and Dangerous Trades.*
(*n*) *Prevention and Extinction of Fire.*
(*o*) *Hackney-carriages, Job-horses, etc.*
(*p*) *Entry and Inspection.*
(*q*) *Taking of Census and Registration of Births, Marriages and Deaths.*
(*r*) *Miscellaneous.*

MUNICIPALITY—*cont.*

VIII.—CITY OF BOMBAY—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*a*) *Streets, etc.*

Corporation to provide for—
construction, maintenance, etc., of public streets, bridges, etc. -
lighting, watering and cleansing of public streets -
removal of obstructions and projections in streets, etc. -
naming of streets and numbering of premises - - -
Bom.Act3,1888,s.61(*m*)to(*p*).

Public streets; vesting of, in Corporation - - - - „ s.289(*1*).
„ „ Municipal Commissioner to level, repair, improve, etc. „ s.289(*2*).
„ „ power to close, permanently; disposal of site - „ ss.289(*3*),290.
„ „ power to make new streets - - - - „ s.291.
„ „ saving of ss. 37 and 38 of Bombay Port Trust Act, 1879 - - - - - - „ ss.292,306(*3*).
„ „ laying of tramway or railway on; saving of Bombay Tramways Act, 1874 - - - - „ s.293.
„ „ minimum width of; projections over - - - „ s.294.
„ „ power to adopt or construct bridge, etc. - - „ s.295.
„ „ power to acquire land for improving or making; acquisition of building sites adjoining new streets „ s.296.
„ „ regulation of line of buildings; power to acquire land within regular line of street; compensation - „ ss.297to299(am.Bom.Act 4,1888,s.5), 300,301.
„ „ tethering of animals in - - - - „ s.316.
„ „ lighting of public streets and municipal markets and buildings; unlawful removal or breaking of lamps, etc.; laying of gas-pipes, etc.; building, street or railway not to be constructed over gas-pipe - „ ss.330to333.
„ „ watering of - - - - - - „ s.336.
Private streets: making of, under control of Municipal Commissioner „ ss.302to304.
„ „ levelling, draining, lighting, etc., of - - „ ss.305,307.
„ „ power to declare them to be public streets - - „ ss.306,307.
Powers and prohibitions with respect to obstructions in, encroachments on, or projections over street, from building, etc.; compensation - „ ss.308(am. Bom.Act4, 1888,s.6),309 to315.
Power to permit temporary erection of booths, etc., in street - - „ s.317.
Execution of works in or near street; speedy re-instatement of street; temporary closing of street; temporary arrangements for traffic; precautions against accidents - - - - „ ss.318to326.
Naming of streets and numbering of buildings; prohibition of defacing, etc., name or number - - - - - - „ s.327.
Bill-posting, etc. - - - - - - - - „ s.328.
Municipal Commissioner to secure daily surface-cleansing of streets - „ s.365.
Prohibition of placing filth or filth receptacle on street - - „ ss.372(*d*),(*e*), 373.
Removal of tree or shrub overhanging street - - - „ s.383.
Prohibitions as to carrying or placing corpse in street - - „ s.441.
See also below, (f), (i).

MUNICIPALITY—*cont.*

VIII.—CITY OF BOMBAY—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*b*) *Buildings.*

Regulation of line of buildings; compensation	Bom. Act 3, 1888	ss. 297, 298, 300, 301.
Erection of, on side of private street, under control of Municipal Commissioner	"	s. 304.
Notice of new buildings or additions, alterations, etc.; powers of Municipal Commissioner as to construction	"	ss. 337 to 348, 351 to 353.
Power to prevent use of inflammable materials in external walls and roof coverings	"	s. 349.
" inspect building during erection, repair, etc.	"	s. 350.
" make bye-laws for securing stability and preventing fire and for purposes of health and ventilation	"	s. 461(*e*), (*d*).

See also above, (a), and below, (c), (d), (f), (i), (k), (p).

(*c*) *Dangerous Buildings and Places.*

Corporation to provide for securing or removal of	"	s. 61(*l*).
Repair, protection or enclosure of dangerous place	"	s. 329.
Removal or repair of ruinous or dangerous building, wall or structure	"	s. 354.

(*d*) *Buildings and Grounds in Insanitary Condition, etc.*

Corporation to provide for reclamation of unhealthy localities and removal of noxious vegetation, etc.	"	s. 61(*d*).
Securing, etc., of abandoned or unoccupied premises becoming a nuisance, etc.	"	s. 376.
Cleansing, etc., of premises overgrown with rank vegetation or in unwholesome or filthy condition or a nuisance	"	s. 377.
Power to prohibit use for human habitation of building unfit for such use	"	s. 378.
Abatement of overcrowding in dwelling-house	"	s. 379.
Removal or alteration, etc., of insanitary hut or shed	"	s. 380.
Cleansing, filling-up, draining-off or removal of pool, ditch, tank, etc., becoming a nuisance	"	s. 381.
Cutting or trimming of hedges, removal of trees, etc.	"	s. 383.

(*e*) *Deposit and Removal of Rubbish and Offensive Matter.*

Corporation to provide for scavenging and removal of filth and rubbish	"	s. 61(*c*).
Powers and duties of Municipal Commissioner, occupiers of premises, etc., as to	"	ss. 365, 367 to 373.
Removal of carcasses of animals	"	s. 385.

(*f*) *Drains, Latrines and other Receptacles for Filth.*

Corporation to provide for construction, maintenance and cleansing of drains, drainage-works and public latrines, urinals, etc.	"	s. 61(*a*).
Municipal drains: control, maintenance, repair, construction, improvement, discontinuance and cleansing of	"	ss. 220 to 222, 224, 225.

MUNICIPALITY—*cont.*

VIII.—CITY OF BOMBAY—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*f*) *Drains, Latrines and other Receptacles for Filth*—cont.

Municipal drains: unlawful construction of building, street or railway over	Bom. Act 3,1888,	s. 223.
,, ,, vesting in Corporation of drains, fittings, etc., constructed by it on private premises	,,	s.242.
,, ,, owner of premises to maintain, clean, etc., drain constructed or continued for sole benefit of such premises	,,	s.226.
Private drains: connection of, with municipal drains	,,	ss.227to 229,233.
,, ,, carrying drain through land or drain belonging to another	,,	ss.230,236 to238.
,, ,, power to enforce drainage of undrained premises	,,	ss.231,232.
,, ,, new building not to be erected or occupied until drainage provided	,,	s.234.
,, ,, unlawful passing of excrementitious matter into	,,	s.235.
,, ,, power to require separate drains for polluted and unpolluted matter	,,	s.239.
Construction of drain or cesspool beneath building	,,	ss.240,241.
,, cesspool near well, etc.	,,	s.241.
Drains and cesspools to have proper coverings and means of ventilation	,,	s.243.
Affixing of shafts or pipes for ventilating drain or cesspool	,,	s.244.
Places for emptying of drains and disposal of sewage; powers for disposal of sewage	,,	ss.245,246.
Municipal Commissioner to provide and maintain public necessaries	,,	s.252.
Sufficient water closet or privy and urinal to be provided for buildings or premises	,,	ss.247,248.
Power to require construction of water-closets or latrines or privies and urinals for market or other place of public resort or for workmen	,,	s.249.
Provisions as to position, concealment, etc., of privies and water-closets and ventilating and other appliances for water-closets	,,	ss.250,251.
Inspection of private drains, water-closets, etc.; opening of ground, etc.; payment of expenses; power to require removal, repair or cleansing, etc., of drain, closet, etc.	,,	ss.253to257.
Prohibition of certain acts interfering with proper maintenance of drains, water-closets, etc.	,,	s.258.
Power of Municipal Commissioner to execute work for private person	,,	ss.259,260.
Work to be executed by private person only through agency of licensed plumber	,,	s.259(2).
Power to make bye-laws as to construction, etc., of drains, cesspools, privies, etc.	,,	s.461(*a*),(*e*).

(*g*) *Slaughter-houses.*

Corporation to provide for regulation of slaughter-houses	,,	s.61(*h*).

MUNICIPALITY—*cont.*

VIII.—CITY OF BOMBAY—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*g*) *Slaughter-houses*—cont.

Municipal slaughter-houses:		
Corporation to provide for construction and maintenance of	Bom.Act3,1888	s.61(*h*).
Establishment and maintenance of	,,	s.399.
Power to close	,,	s.400.
Levy or farming of stallages, rents and fees	,,	ss.407,408.
Power to expel person contravening bye-laws, etc.	,,	s.409.
Private slaughter-houses:		
Licensing of	,,	s.403.
Paving and draining of	,,	s.405.
Power to permit slaughter at any place on occasion of festival, etc.	,,	s.403.
,, make regulations for slaughter-houses	,,	ss.406,408.
,, make bye-laws for inspection, use and sanitation of slaughter-houses	,,	s.461(*k*), (*m*),(*n*).

(*h*) *Bathing and Washing Places.*

Establishment and regulation of; prohibitions as to fouling of water	,,	ss.386to 389,397.

(*i*) *Water-supply.*

Corporation to provide for construction and maintenance of works and means for water-supply	,,	s.61(*b*).
Municipal Water-works; construction and maintenance of; powers of entry and inspection for construction or repair of; compensation for damage done	,,	ss.261to265.
,, ,, provision and maintenance of fire-hydrants	,,	s.266.
,, ,, unlawful building or carrying on of manufacture, etc., so as to injure source of water-supply	,,	s.267(*1*).
,, ,, limits of the water-shed of the Vehar Lake	,,	s.267(*2*).
,, ,, unlawful construction of building, street or railway over water-main	,,	s.268.
,, ,, prohibition of certain wilful or neglectful acts in connection with; compensation for damage done	,,	ss.284,285
Municipal Water-works; private water-supply:		
Provision of, at cost of consumer; connections with water-works; storage cisterns; pipes and other fittings	,,	ss.261(*c*), 271to 275
Provision and maintenance of meters; register of meter to be *primâ facie* evidence	,,	ss.275to277.
Power to inspect premises to examine, etc., meter and pipes and other fittings, etc., and to require remedy of defects	,,	s.278.
Power to cut off supply or turn off water	,,	s.279.
Conditions not to be contravened; fraudulent or unauthorised use of water	,,	ss.280,282.

MUNICIPALITY—*cont.*

VIII.—CITY OF BOMBAY—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*i*) *Water-supply*—cont.

Municipal Water-works; private water-supply—*cont.*:
- Prohibition of fraud in respect of meters; compensation for damage done — Bom. Act 3, 1888, ss. 283, 285.
- Presumption that offence was committed by occupier of premises — „ s.286.
- Power of Municipal Commissioner to execute work for private person — „ s.287.
- Work to be executed by private person only through agency of licensed plumber — „ s.287(*2*).
- Power to supply water without the City — „ s.288.

Public gratuitous water-supply:
- Vesting of public drinking-fountains, etc., in Corporation; maintenance thereof and supply of water therefrom; power to close them or set them apart for particular purposes — „ ss.269,270.

Construction of cesspool near well, water-works, etc., or of well, etc., or water-pipe near cesspool — „ ss.241,281.

Water-pipes not to be laid in drain, etc. — „ s.281.

Precautions to be observed in crossing water-pipe with gas-pipe — „ s.333.

Prohibition of fouling of lake, tank, etc., by carrying on offensive trade — „ s.395, Sch. M.

Power to make bye-laws as to supply and use of water — „ s.461(*b*).

See also above, (d), and below, (k).

(*j*) *Food, Drink and Medicine.*

Corporation to provide for regulation of markets — „ s.61(*h*).

Municipal markets:
- Corporation to provide for construction and maintenance of — „ s.61(*h*).
- Establishment and maintenance of — „ s.399.
- Power to close — „ s.400.
- License required to sell in — „ s.401.
- Levy or farming of stallages, rents and fees — „ ss.407,408.
- Power to expel person contravening bye-laws, etc. — „ s.409.

Private markets:
- Sanction required to establishment of — „ s.402.
- Licensing of — „ s.403.
- Prohibition of sale in unauthorised market — „ s.408.
- Paving and draining of — „ s.405.

Power to make regulations for markets — „ ss.406,408.

Licensing of places for keeping animals for sale of their produce — „ s.394(*c*).

License required for selling animal, meat or fish for human food outside market — „ s.410.

Licensing of butchers, etc. — „ s.411.

Permission required to importing animal or flesh intended for human food — „ s.412.

Power to enter and inspect place used for unauthorised slaughter of animal or sale of flesh; no compensation for damage or use of force — „ s.413.

MUNICIPALITY—*cont.*

VIII.—CITY OF BOMBAY—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*j*) *Food, Drink and Medicine*—cont.

Municipal Commissioner to provide for constant and vigilant inspection of articles of human food or medicine; seizure and disposal of diseased or unwholesome animals and articles and vessels, etc., used for preparing, etc., such articles — Bom. Act 3, 1888, ss. 414 to 417.

Power to make bye-laws for—
- inspection of milch-cattle and regulation of dairies
- securing cleanliness of milk-stores, milk-shops and milk-vessels
- protecting milch-cattle and milk against infection or contamination
- inspection of markets and of shops for sale of articles of human food
- control and supervision of butchers
- regulating use and sanitation of markets

" s. 461(*g*) to (*n*).

As to markets, *see also above*, (*f*)
See also below, (*m*).

(*k*) *Restraint of Infection.*

Person suffering from contagious or loathsome disease not to bathe in or near lake, tank, etc., or on sea-shore — " s. 389.
Dangerous disease defined — " s. 3(*aa*).
" " Corporation to provide measures against — " s. 61(*g*).
" " medical practitioners to report, to executive health officer — " s. 421.
" " power of Municipal Commissioner—
- to inspect places and take measures to prevent spread of — " s. 422.
- to prohibit drinking of water likely to engender or spread — " s. 423.

" " power to remove patient to hospital — " s. 424.
" " disinfection of buildings and articles — " s. 425.
" " destruction of hut or shed; compensation — " s. 426.
" " provision of places for disinfecting or washing clothing, etc.; prohibition of washing infected articles elsewhere; disinfection on payment of fees; disinfection or destruction under orders of Municipal Commissioner; compensation — " s. 427.
" " carriage of infected person in public conveyance; disinfection of conveyance — " ss. 428 to 431.
" " provision of carriages for infected persons — " s. 429.
" " infected article not to be transmitted, etc., without previous disinfection — " s. 432.
" " infected building not to be let without previous disinfection — " s. 433.
" " power of Municipal Commissioner to take special measures on outbreak of — " s. 434.

(*l*) *Disposal of the Dead.*

Places for; Corporation to provide and regulate — " s. 61(*e*)

MUNICIPALITY—*cont.*

VIII.—CITY OF BOMBAY—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*l*) *Disposal of the Dead*—cont.

Places for; registration of	Bom. Act 3, 1888	ss. 435, 436, 438(2), 439(2).
„ provision of	„	ss. 436, 437.
„ closing and re-opening of	„	ss. 438, 439.
Permission of Municipal Commissioner required to burial in place of worship, or disposal of corpse in closed or unregistered place, or exhumation of corpse	„	s. 440.
Prohibition of certain acts in connection with	„	s. 441.
Power to make bye-laws as to	„	s. 461(*p*).

(*m*) *Offensive and Dangerous Trades.*

Corporation to provide for regulation of	„	s. 61(*i*).
Permission required for newly establishing factory, etc.	„	s. 390.
Consumption by furnaces of their own smoke	„	s. 391.
Sanitary regulation of factories, bake-houses, workshops, etc.	„	s. 392.
Unlawful use of steam-whistle or steam-trumpet	„	s. 393.
Licensing of	„	s. 394, Sch. M.
Prohibition of fouling of water by chemicals, etc.; opening and examination of pipes, etc.; notice of entry; payment of expenses	„	s. 395, Sch. M.
Inspection of premises; no compensation for damage caused; when force may be used to effect entry	„	s. 396.
Power to make bye-laws for control and supervision of premises	„	s. 461(*f*).

(*n*) *Prevention and Extinction of Fire.*

Corporation to provide for entertainment of fire-brigade and protection of life and property in case of fire	„	s. 61(*k*).
Municipal Fire Brigade:		
Establishment and equipment of	„	s. 359.
Municipal Commissioners to make regulations for	„	s. 360.
Powers of chief officer of, at fire	„	s. 361.
Police-officers and Municipal officers and servants to aid	„	s. 362.
Damage done by, deemed "damage by fire" within meaning of policies of insurance	„	s. 363.
Reports and returns as to fires	„	s. 364.
Provision and maintenance of fire-hydrants	„	s. 266.
Licensing of places for storing, manufacturing, etc., explosives, etc., or for storing wood, charcoal, coal, coke, ashes, hay, grass, straw or other combustibles; power to make bye-laws	„	ss. 394 (*d*), 461(*f*), Sch. M.

See also above, (*b*).

(*o*) *Hackney-carriages, Job-horses, etc.*

Corporation to pay expenses of granting licenses under Bom. Act 6, 1863 (Public Conveyances)	„	s. 62(*b*).
Licensing of places for keeping animals for sale or hire	„	s. 394(*c*).

See also above, (*k*).

MUNICIPALITY—*cont.*

VIII.—CITY OF BOMBAY—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*p*) *Entry and Inspection.*

Power to inspect place for discovery of vehicle or animal liable to tax — Bom. Act 3, 1888, section 189.
Power to inspect building or other premises to ascertain sanitary condition and to direct cleansing of building — „ ss.374,375.
Power to enter building or land to make inspection or survey or execute work; time of entry; notice of entry; precautions to be observed in entering dwelling — „ s.488.
See also above, (*b*), (*f*), (*g*), (*i*), (*j*), (*k*), (*m*).

(*q*) *Taking of Census and Registration of Births, Marriages and Deaths.*

Taking of Census:
Corporation may provide for — „ s.63(*h*).
Procedure for — „ ss.454to460.
Power to make bye-laws as to — „ s.461(*s*).
Registration of Births and Deaths:
Corporation to provide for — „ s.61(*e*).
A municipal officer to be registrar in each district — „ s.442.
Registrar to reside in his district and to post his name; list of registrars to be published — „ s.443.
Register-books to be supplied — „ s.444,Schs. N and O.
Registrar to inform himself of, and to register, all births and deaths; appointment of other municipal officers to collect information — „ ss.445,448.
Information of births and deaths by whom and when to be given — „ ss.446,447,449, 450,Sch.P.
Preparation of register-books of deaths, and publication of mortality returns — „ s.451,Sch.O.
Correction of errors in, and adding of names of children to, registers — „ ss.452,453, Sch.Q.
Power to make bye-laws as to — „ s.461(*q*).
Registration of Marriages:
Corporation may provide for — „ s.63(*g*).
Power to make bye-laws as to — „ s.461(*r*).

(*r*) *Miscellaneous.*

Corporation to provide for—
abatement of nuisances — „ s.61(*d*).
maintaining, etc., schools for primary education — „ s.61(*q*).
maintenance of an office and of all public monuments and other property vesting in Corporation — „ s.61(*r*).
Corporation may provide for—
public vaccination
educational objects
constructing, etc., libraries; museums and art galleries
constructing or maintaining public parks and gardens and botanical and zoological collections
planting trees — „ s.63.

MUNICIPALITY—*cont.*

VIII.—CITY OF BOMBAY—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*r*) *Miscellaneous*—cont.

Corporation may provide for—*cont.*
surveys - - - - - - - - -
addresses to persons of distinction - - - - -
any measure likely to promote public health, safety, convenience or instruction - - - - - - - - - Bom. Act 3, 1888, section 63.

Corporation may make contribution towards public ceremony or entertainment - - - - - - - - - „ s.63(*l*).

Power to make bye-laws for—
preventing cruelty in market or slaughter-house - -
„ use of false or defective weights, scales or measures in market - - - - - - - -
publication of price-current for market - - - - „ s.461(*n*),(*o*).

Surveyors and Plumbers:
Licensing of; regulations for guidance of - - - - „ ss.355,356.
Licensed plumbers; fees payable to; bound to execute work properly - - - - - „ ss.357,358.
„ „ certain work to be executed by private person only through agency of - - „ ss.259(*2*), 287(*2*).

Discontinuance of quarrying causing danger or nuisance - - „ s.382.

Unlawful keeping of animals; feeding of animals on filth; destruction of swine found straying - - - - - „ s.384.

Weights and measures:
Provision and custody of standards - - - - „ s.418(*1*).
Verification and stamping of, and fees therefor - - - „ ss.418(*2*),419, 420.

Power of Municipal Commissioner to take special measures on outbreak of infectious disease among cattle, sheep or goats - - „ s.434.

Compensation when payable out of Municipal Fund - - „ s.501.
„ „ „ for damage done to property of Corporation - - - - „ s.502.

Nuisances; prosecutions for - - - - - - „ ss.515,517.
„ appeal to High Court from order of Presidency Magistrate under Bom. Act 3, 1888, s. 515; limitation - Act 12, 1888, ss.4,5.

7. Supplemental.

Bye-laws; power to make - - - - - - Bom. Act 3, 1888, section 461.
„ penalty for breach of - - - - - „ s.462.
„ confirmation of - - - - - - „ s.463.
„ publication and sale of - - - - - „ ss.467 to 469.
„ power of Local Government to repeal - - „ s.470.
„ Municipal Commissioner to lay before Corporation draft of bye-law which he considers it desirable to make - „ s.464.
„ publication and sale of drafts - - - - „ ss.465,466.

Rules as to appeals; power of High Court to make - - Act 12, 1888, s.4.

Licenses and written permissions; provisions as to - - Bom. Act 3, 1888, ss.479,487.

Notices; publication of - - - - - - „ ss.480,481.
„ and other documents; authentication and service of - „ ss.482 to 487.

MUNICIPALITY—*cont.*

VIII.—CITY OF BOMBAY—*cont.*

7. Supplemental—*cont.*

Power to execute work in default of owner or occupier; recovery of cost; deduction from rent of sum paid by occupier; saving of contracts	Bom.Act3,1888,ss.489to 493,498.
Recovery of improvement expenses; apportionment of same between owner and occupier; redemption of charges for same	„ ss.494to498.
Occupier may execute work in default of owner, and recover cost from him or deduct it from rent	„ s.499.
Agent or trustee doing act required to be done by owner; relief to	„ ss.477,500.
Reference to Chief Judge of Small Cause Court where occupier opposes owner in execution of Act	„ s.507.
Recovery of expenses or compensation in case of dispute; reference to Chief Judge of Small Cause Court	„ ss.503to506.
Appeal to High Court from decision of Chief Judge under s. 503 or s. 504 of Bom. Act 3, 1888; limitation	Act12,1883,ss.3,5.
Powers and procedure of Chief Judge, Small Cause Court; costs; fees; power of Judge to delegate certain of his functions and to make rules	Bom.Act3,1888,ss.508to 512.
Penalties for offences against Act or regulation or requisition made thereunder	„ ss.471(am. Act16,1895), 472to478.
Prosecutions to be instituted before Presidency Magistrate; limitation	„ ss.513,514
Legal proceedings and legal advice; powers of Municipal Commissioner in respect to instituting, etc., proceedings, compounding for offences and obtaining advice	„ s.517.
Computation of time	„ s.523.
Measurement of distances	„ s.524.
Correction of errors in assessment, distress, notice, etc.	„ s.525(*1*).
Vacancies and irregularities not to invalidate proceedings	„ ss.39(*2*),51, 52,53,525(*2*).
Bom. Act 3, 1888, validated, as regards jurisdiction conferred on, and proceedings of, Benches, Magistrate, and Court of Small Causes	Act12,1888,s.1.

IX.—COORG, AND SIX MUNICIPALITIES IN THE NORTH-WESTERN PROVINCES.[1]

1. Preliminary.

Definitions	Act15,1873,section2.

2. Constitution and Government.

(a) Constitution of Municipalities.

Procedure for constituting municipality	„ ss.4,5.

(b) Constitution of Municipal Committees.

Appointment or election of members	„ ss.6,8,9.
Term of office of member	„ s.6.
Resignation or removal of member	„ s.7.

[1] Act 15, 1873 (with the exception of ss. 34 and 35), has been extended to Coorg by notification under the Scheduled Districts Act, 1874. Act 15, 1873, and N. & O. Act 1, 1895, are in force in the municipalities of Jhansi, Kalpi, Kunch, Lalitpur, Naini Tal and Orai in the North-Western Provinces.

MUNICIPALITY—*cont.*

IX.—COORG, AND SIX MUNICIPALITIES IN THE NORTH-WESTERN PROVINCES—*cont.*

2. Constitution and Government—*cont.*

(*b*) *Constitution of Municipal Committees*—cont.

Filling of casual vacancies	Act 15, 1873,	section 8.
President and Vice-President; appointment or election of	,,	s. 10.
Notification of appointments and removals	,,	s. 11.

(*c*) *Conduct of Business.*

Office	,,	s. 12.
Who to be Chairman; meetings to be general or special; convening of meetings; quorum; vote of majority decisive; Chairman's casting vote; record and publication of decisions	,,	s. 13.
Power to make bye-laws and orders as to conduct of business	,,	ss. 20, 21.

(*d*) *Officers and Servants.*

Appointment of Secretary	,,	s. 10.
Power to make bye-laws as to appointment, salaries, suspension and removal of officers and servants	,,	s. 20.
Power to appoint special officer to enforce bye-laws, etc.	,,	s. 21.

(*e*) *General Powers of Official Control.*

Powers of control exerciseable by—		
Commissioner	,,	s. 14.
Local Government	,,	s. 28.

3. Taxation.

Taxes which may be imposed	,,	ss. 16 to 18.
Procedure for imposing taxes	,,	s. 15.
Power of Committee to cancel or vary tax	,,	s. 15.
,, Local Government to exempt articles from octroi	,,	s. 16(*e*).
,, ,, ,, to abolish tax	,,	s. 29.
Taxes not invalid for defect of form	,,	s. 19.
Appeals against taxation; limitation	(N.) Act 15, 1873, ss. 19A, 19B, 19C (ad. N. and O. Act 1, 1895, s. 1).	
Power to make rules for assessment and collection of taxes	Act 15, 1873,	s. 18.
Recovery of taxes by procedure for recovery of fines	,,	s. 47.

4. Municipal Fund and Property.

Municipal Fund; constitution of	(Co.) Act 15, 1873, s. 30. (N.) Act 15, 1873, s. 30 (am. N. and O. Act 1, 1895, s. 2).	
,, application of	(Co.) Act 15, 1873, s. 30. (N.) Act 15, 1873, s. 19A(*b*) (ad. N. and O. Act 1, 1895, s. 1), s. 30	
,, ,, authority on which money may be paid from	Act 15, 1873,	s. 31.
,, ,, custody of	,,	s. 31.
,, ,, accounts and estimates	,,	s. 36.
Municipal property; public highways vested in Committee	,,	s. 38.

MUNICIPALITY—*cont.*

IX.—COORG, AND SIX MUNICIPALITIES IN THE NORTH-WESTERN PROVINCES—*cont.*

4. Municipal Fund and Property—*cont.*

Municipal property; power of Committee to buy and sell land — Act15,1873,s.27.
„ „ acquisition of land for Committee — „ s.39.
Transfer of public ferry to Municipal Committee — (Co.)Act17,1878,s.7.
Contract; mode of executing — Act15,1873,s.33.
„ member of Committee not personally liable for — „ s.41.
„ penalty on member or servant of Committee being interested in contract made with Committee — „ s.44.
Suits by or against Committee to be instituted in name of President — „ s.40.
„ against Committee; Local Government to be made a party — „ s.28.
„ against Committee or officer thereof, etc.; notice of and limitation for — (Co.)Act15,1873,s.43.
„ against Committee or officer or servant thereof; notice of — (N.)Act15,1873,s.43(am. N.andO.Act1,1895,s.3).
Liability of members of Committee for breach of trust — Act15,1873,s.42.

5. Police.

Committee to provide police establishment out of Municipal Fund; appointment of members of force — (N.)Act15,1873,s.34.
Powers and duties of police — „ „ s.35.

6. The Public Health, Safety and Convenience.

Committee to keep public streets, roads, drains, tanks and water-courses clean and in repair, and may water and light streets and roads — Act15,1873,s.32.
Power to construct and manage market places —
„ determine rates for hire of hackney-carriages and boats —
Registration of births, marriages and deaths: power to make rules for — „ s.22.
Power to construct and manage poor-houses, dispensaries and other works of general utility, and to do acts necessary for purposes of conservancy, etc. —
„ establish or aid schools, or otherwise promote education — „ s.32.
Nuisances; power to make rules defining — „ s.22.
„ power to prohibit repetition or continuance of — „ s.25.
„ power to invest Committee with powers of District Magistrate under s. 133 of the Code of Criminal Procedure, 1882, for removal of nuisances; application of ss. 133 to 142 of the Code — „ s.26.
„ power of entry for detection and abatement of — „ s.22.

7. Supplemental.

Bye-laws; power to make — „ s.20.
„ enforcement of — „ s.21.
Rules; power to make — „ ss.22,37.
„ confirmation of — „ s.23.
„ penalty for breach of — „ s.45.
„ and bye-laws; publication of — „ s.24.
Prosecutions by whom to be initiated — „ s.46.

MUNICIPALITY—*cont.*

X.—NORTH-WESTERN PROVINCES (EXCEPT SIX MUNICIPALITIES) AND OUDH.[1]

1. Preliminary.

Definitions - - - - - - - - - Act 15, 1883, section 2.

2. Constitution and Government.

(*a*) *Constitution of Municipalities.*

Procedure for constituting municipality - - - - „ ss. 3 to 5.
Power to divide municipality into wards - - - - „ ss. 9(*a*), 10.
„ alter municipal limits; consequences to ensue thereupon - „ ss. 72 to 75.
„ withdraw municipality from operation of Act; consequences to ensue on withdrawal - - - - - „ s. 79.
Municipality not to be included in area subject to Local Board - Act 14, 1883, s. 3.

(*b*) *Constitution of Municipal Board.*

Appointment or election of members - - - - Act 15, 1883, ss. 6 to 10, 64(*a*).
Power to except municipality from provisions relating to election of Members of Board, and to appoint such members as would otherwise have been elected - - - - - - „ s. 78.
Time for Board coming into existence - - - - „ s. 16.
Term of office of members - - - - - - „ ss. 11, 14(*3*).
Resignation or removal of member - - - - - „ ss. 12, 13.
Filling of casual vacancies - - - - - - „ s. 14.
Incorporation of Board - - - - - - „ s. 15.
Member deemed to be "Municipal Commissioner" - - - „ s. 77.
Chairman and Vice-Chairman; election or appointment of - - „ ss. 18, 19, 24.
„ „ term of office of - - - „ ss. 20, 23(*3*).
„ „ resignation or removal of - - „ ss. 21, 22.
„ „ filling of casual vacancy in office of - „ s. 23.
Notification of elections, appointments and vacancies - - „ s. 25.

(*c*) *Conduct of Business.*

Ordinary and special meetings - - - - - - „ s. 28.
Time for holding meetings - - - - - - „ ss. 27, 34(*a*).
Who to be Chairman of meeting - - - - - - „ s. 30.
Quorum - - - - - - - - - „ ss. 29, 34(*c*).
Vote of majority ordinarily decisive; Chairman has casting vote - „ s. 31.
Certain officers entitled to attend and speak - - - - „ s. 32.
Record, signature and publication of proceedings; copy of resolutions to be sent to District Magistrate - - - - - „ s. 33.
Language (English or vernacular) - - - - - „ s. 64(*b*).
Making of rules as to conduct of business - - - - „ s. 34.
Joint Committees: appointment of, by Municipal Board and District Board or Cantonment Authority or another Municipal Board; delegation of powers to, and framing of regulations for - - Act 14, 1883, s. 27(*1*). Act 15, 1883, s. 26(*1*).

(*d*) *Officers and Servants.*

Appointment, remuneration and removal of Secretary to Board - „ s. 35.

[1] Act 15, 1883, applies to all municipalities in Oudh and to all municipalities in the North-Western Provinces except the municipalities of Jhansi, Kalpi, Kunch, Lalitpur, Naini Tal and Orai.

MUNICIPALITY—*cont.*

X.—NORTH-WESTERN PROVINCES (EXCEPT SIX MUNICIPALITIES) AND OUDH—*cont.*

2. Constitution and Government—*cont.*

(*d*) *Officers and Servants*—cont.

Appointment and remuneration of other officers and servants	Act15,1883,	ss.36,64(*f*).
Dismissal of Government officials employed under former law	„	s.17(*e*).
Pensions, gratuities and leave-allowances	„	ss.37,38(am. Act12, 1891).

(*e*) *General Powers of Official Control.*

Copy of resolutions of Board to be sent to District Magistrate	„	s.33(2).
Commissioner of Division or District Magistrate:		
General powers of control exerciseable by	„	s.59.
Power of, to suspend action of Board; report to Local Government	„	s.60.
District Magistrate; extraordinary powers of, in case of emergency; report to Commissioner of Division	„	s.61.
Local Government; power of—		
to provide for performance of duties in default of Board	„	s.62.
to supersede Board in case of incompetency, persistent default or abuse of powers; consequences to ensue thereupon	„	s.63.
to frame forms and make rules	„	s.64.
Settlement of differences of opinion between Municipal Boards, District Boards, and Cantonment Authorities	Act14,1883, Act15,1883,	s.27(2). section26(2).

3. Taxation.

Taxes which may be imposed	„	s.41.
Procedure for imposing taxes	„	s.42.
Power to abolish or reduce tax	„	s.44.
Taxes not invalid for defect of form	„	s.43.
Appeal against taxation; limitation	„	ss.46A,46B, 46C(ad.N.&O. Act1,1895, s.5).
Power to make rules as to assessment and collection of taxes	„	s.64(*c*).
Recovery of taxes by distress and sale	„	s.46.

4. Municipal Fund and Property.

Municipal Fund; constitution of	„	s.47(*1*)(am. N.&O.Act1, 1895,s.6).
„ „ application of	„	ss.47(2),61(2), 62(2).
„ „ authority on which money may be paid from	„	s.64(*d*).
„ „ custody and investment of	„	s.48.
„ „ accounts, estimates, and sanction to expenditure	„	s.64(*h*),(*i*),(*j*).
Municipal property; power to make rules for preventing injury to or interference with	„	s.55(*b*).
„ „ conditions on transfer of, by sale, mortgage, lease, etc.	„	s.64(*e*).
„ „ acquisition of land for Board	„	s.67.
Allotment of, for benefit of area excluded from municipality	„	s.74.

MUNICIPALITY—*cont.*

X.—NORTH-WESTERN PROVINCES (EXCEPT SIX MUNICIPALITIES) AND OUDH—*cont.*

4. Municipal Fund and Property—*cont.*

Disposal of, when municipal area withdrawn from operation of Act	Act 15, 1883,	section 79.
Contract; procedure for entering into, and mode of executing	"	ss.39,40.
" penalty as member, officer or servant of Board being interested in contract made with Board	"	s.65.
Suit against Board or officer or servant thereof; notice of	"	s.40A (ad. N.&O. Act 1,1895, s.4).
Liability of members of Board for loss, waste or misapplication of money or property	"	s.66.

5. Police.

Board to maintain police-establishment	"	s.49.
Pay, leave-allowances, gratuities and pensions of police-establishment	"	s.50.
Police to consist of body of watchmen or of part of general police-force	"	s.50.
Appointment, promotion, punishment, duties and powers of watchmen	"	ss.51,53.
Duties of police consisting of part of general police-force	"	s.52.

6. The Public Health, Safety and Convenience.

(*a*) *Streets and Roads.*

Board to provide for construction, maintenance, repair and cleansing of public streets and roads, and watering and lighting of streets and roads	"	s.54(*1*),(*2*).

(*b*) *Drains.*

Board to provide for construction, maintenance, repair and cleansing of public drains	"	s.54(*1*).

(*c*) *Water-supply.*

Board to provide for construction, maintenance, repair and cleansing of public tanks and water-courses	"	s.54(*1*).

(*d*) *Food and Drink.*

Board to provide for establishment, maintenance and management of markets	"	s.54(*4*).
Power to make rules as to establishment, maintenance or management of markets	"	s.55(*c*).

(*e*) *Disposal of the Dead.*

Control and regulation of use and management of burial and burning grounds	"	s.55(*d*).

(*f*) *Hackney-carriages, Boats, Job-horses, Porters, etc.*

Power to limit rates for hire of carriages, carts, boats or other conveyances, or of animals hired to carry loads, or for services of porters	"	s.55(*e*).
Saving of vehicles to which Hackney-carriage Act, 1879, applies	"	s.55(*4*).

MUNICIPALITY—*cont.*

X.—NORTH-WESTERN PROVINCES (EXCEPT SIX MUNICIPALITIES) AND OUDH—*cont.*

6. Public Health, Safety and Convenience—*cont.*

(*g*) *Entry.*

Power to make rules as to entry on private property for enforcement of rules - - - - - - - - - Act 15, 1883, s.55(*g*).

(*h*) *Registration of Births, Marriages and Deaths.*

Power to make rules for - - - - - - - - „ s.55(*f*).

(*i*) *Miscellaneous.*

Board to provide for establishment, maintenance and management of schools, dispensaries and other public institutions for promotion of education or benefit of public health, and to control and administer such institutions - - - - - - - - „ s.54(3).

Board to provide for establishment, maintenance and management of poor-houses and other works of public utility - - - - „ s.54(4).

Board to do all acts and things calculated to promote health, comfort, convenience or interests of inhabitants - - - - „ s.54(5).

Sarais and halting places: establishment, maintenance or management of - - - - - - - - - „ s.55(*c*).

Places of public entertainment or resort; management of - - „ s.55(*c*).

Nuisances, etc.; power to make rules for preventing, etc. - - „ s.55(*a*).

„ power to prohibit commission of - - - „ s.56.

„ power to invest Board with power of District Magistrate under section 133 of the Code of Criminal Procedure, 1882, for removal of nuisance, etc.; application of ss. 133 to 142 of Code - - „ s.57.

„ delegation to sub-committee of powers under ss. 56 and 57 of Act - - - - „ s.58.

Hilly tracts: power to regulate or prohibit cutting of trees or shrubs, making of excavations, etc. - - - - - „ s.55(*h*).

7. Supplemental.

Rules; power to make - - - - - - „ ss.55(*1*),64 (*1*).

„ penalty for breach of - - - - - „ ss.55(*2*),64 (*2*).

„ confirmation and publication of - - - - „ ss.55(*3*),68 (*2*).

„ to be published in draft - - - - - „ s.68(*1*).

Prosecutions by whom to be initiated - - - - - „ s.69.

„ under other laws not barred, but only one punishment allowed - - - - - - - „ s.70.

Saving of Local Authorities Loan Act, 1879 - - - - „ s.76.

XI.—NORTH-WESTERN PROVINCES AND OUDH.

1. Lodging-houses.

Power to apply Act to municipality on application of Municipal Authority - - - - - - - - N.&O.Act 1, 1892, ss.3,4.

„ to withdraw Act - - - - - - - „ s.13.

Definitions - - - - - - - - - „ s.2.

MUNICIPALITY—*cont.*

XI.—NORTH-WESTERN PROVINCES AND OUDH—*cont.*

1. Lodging-houses—*cont.*

Power of Municipal Authority to make rules for licensing of	N.&O.Act1,1892,ss.8,9.
„ Government to cancel such rules	„ s.11.
Licensing of	„ ss.5,8.
Power of Municipal Authority—	
to enter and inspect	„ s.6.
to direct compliance with rules made under Act, and to execute work, etc., in default of keeper, and recover cost	„ s.7.
Penalties for breach of Act or rules	„ ss.5(2),9.
Fines and license-fees to be credited to Municipal Fund	„ s.10.
Authority for institution of prosecution under Act	„ s.12.

2. Water-supply.

Power to extend Act to municipality on application, and authorise construction of water-works therein	N.&O.Act1,1891,ss.4to6.
Previous sanction of Governor General in Council required to inclusion of cantonment in municipality for purposes of Act	„ s.6.
Whole Act, except ss. 4, 5, applies to municipalities of Agra, Allahabad, Benares and Cawnpore	„ s.3.
Definitions	„ s.2(am.N.&O. Act3,1895,s.1).
Obligations and general powers of Municipal Board as to providing water-supply	„ ss.7to10.
Supply of water for domestic purposes	„ ss.11,11A,12 to17(ss.11,12 am.,and s.11A ins.,N.&O.Act 12,1895,ss.2 to4).
„ „ for other than domestic purposes	„ s.21.
„ „ in standpipes for gratuitous use	„ s.18.
„ „ for extinguishing fires and cleansing drains and streets	„ ss.19,20.
„ „ pressure of water	„ s.22.
Water-rate; imposition, assessment and recovery of	„ ss.33to35,35A to35C(ss.33,34 am.,andss.35A to35C ad.,N.&O. Act2,1895,ss.6 to8).
Reciprocal rights of owners and occupiers as to supply of water to houses assessed to water-rate	„ ss.23to32(am. N.&O.Act2, 1895,s.5).
Power of Local Government and Municipal Board to make rules as to water-supply and water-rate	„ ss.36to39(ss.36, 37,am.N.&O. Act2,1895,ss. 9,10).
Recovery of arrears of water-rate and other sums due under Act	„ s.40.
Notice to be given to Municipal Board of new building and re-occupation, demolition, etc., of building	„ ss.41,42.
Water-rate a prior charge on premises	„ s.43.

MUNICIPALITY—*cont.*

XI.—NORTH-WESTERN PROVINCES AND OUDH—*cont.*

2. Water-supply—*cont.*

Power to cut off water for non-payment of water dues	N.&O.Act1,1891,s.44(am. N.&O.Act2, 1895, s.11).	
Offences and penalties	„	ss.45to49.
Prosecutions by whom to be instituted	„	s.50.

3. Miscellaneous Provisions.

Definitions	N.&O.Act3,1894,section3.	
Power to extend Act to municipality	„	ss.5,6.
Municipal Authority to carry out system of sewerage and drainage at cost of Municipal Fund	„	s.7.
Public streams and other property vested in Municipal Authority or placed under its control	„	ss.8,9.
Powers of Municipal Authority for making and maintaining drains	„	ss.10to17.
Private drains to be cleansed, etc., by owner or occupier of premises	„	s.18.
Connection of private with municipal and other private drains	„	ss.19to21.
Removal or provision of drains, privies, cesspools or other receptacles for filth	„	s.22(1).
Provision of latrines and urinals for workmen	„	s.22(2).
Protection of privy from view, etc.	„	s.22(3).
Alteration, repair or demolition of drains, privies, latrines, urinals or cesspools	„	s.23.
Removal of drain, privy, latrine, urinal, cesspool or other receptacle for filth or refuse from vicinity of source of public water-supply	„	s.24.
Separate drains for polluted and unpolluted water	„	s.25.
Cleansing, etc., of injurious or offensive tank, etc.	„	s.26.
Removal of projections over and obstructions to municipal drain	„	s.27.
Deduction from rent of sums paid by occupier for which owner is liable	„	s.28.
Municipal Authority to regularly inspect drains, etc.	„	s.29
Powers of Municipal Authority for entry and inspection of premises	„	ss.30to32.
Power of Local Government to make rules as to drainage	„	ss.33,35.
„ Municipal Authority to make rules as to drainage, receptacles for filth and appointment of agents by absentee owners	„	ss.34,35.
Penalty for making unauthorised connection with Municipal drain	„	s.36.
„ „ disobedience to orders of Municipal Authority	„	s.37.
„ „ obstructing Municipal employé	„	s.38.
Acquisition of land for Municipal Authority	„	s.39.
Notices; provisions as to	„	s.40.
Execution of work by Municipal Authority in default of person to whom notice given, and recovery of cost	„	ss.40(3),41.
Power of Municipal Authority to pay compensation out of Municipal Fund	„	s.42.
Appeal by Railway-administation to Government against order of Municipal Authority	„	s.43.
Authority for instituting prosecutions	„	s.44.

MUNICIPALITY—*cont.*

XI.—NORTH-WESTERN PROVINCES AND OUDH—*cont.*

3. Miscellaneous Provis ons—*cont.*

Recovery of sums due to Municipal Authority	N.&O.Act3,1894,	section45.
Fines to be credited to Municipal Fund	„	s.46.
Delegation of certain powers of Municipal Authority to its members	„	s.47.
Act not to affect Indian Railways Act, 1890	„	s.4(*1*).
Ss. 22, 29, 30 of Act not to apply to factory regulated by Indian Factories Act, 1881	„	s.4(*2*).
Transfer of public ferry to Municipal Committee	Act17,1878,	s.7.

MADRAS PRESIDENCY.

Transfer of canal or public ferry to Municipal Council	Mad.Act2,1890,	s.11.
Duties of, as to gunpowder. *See* EXPLOSIVE, 2.		

XII.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS).

1. Preliminary.

Definitions	Mad.Act4,1884,	ss.3,65(*1*), 147(*5*).

2. Constitution and Government.

(*a*) *Constitution of Municipalities.*

Power to declare town, etc., to be a municipality	„	s.4(*1*).
„ divide municipality into wards	„	s.250(*a*).
„ withdraw Act from municipality	„	s.4(*2*).
Municipalities excluded from jurisdiction of Local Boards	Mad.Act5,1884,	s.2.

(*b*) *Constitution of Municipal Councils.*

Appointment or election of members and Chairman	Mad.Act4,1884,	ss.8to14, 250(*a*),(*b*).
Member or Chairman not to receive remuneration without special sanction	„	s.16.
Term of office of member	„	s.17.
Resignation or removal of member or Chairman	„	ss.18,19.
Filling of casual vacancies	„	ss.15,20.
Incorporation of Council	„	s.21.

(*c*) *Conduct of Business.*

Office; time for holding meetings	„	ss.29,38.
Who to preside at meetings	„	s.30(*1*).
Quorum	„	s.30(*4*).
Vote of majority decisive; Chairman or President has casting vote	„	s.30(*2*).
Restriction on modification of resolution within three months	„	s.30(*5*).
Certain officers entitled to attend and speak	„	s.30(*3*).
Record, signature and publication of proceedings; proceedings to be kept open to inspection	„	s.31.
Duties and responsibilities of Chairman as executive officer of the Council	„	s.32.
Power to make rules as to conduct of business	„	s.38.
Sub-committees; appointment and procedure of	„	s.38(*v*).

MUNICIPALITY—*cont.*

XII.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*cont.*

2. Constitution and Government—*cont.*

(d) Servants.

Number and salaries of servants to be fixed by Municipal Council with sanction of Local Government	Mad. Act 4, 1884,	section 39.
Chairman to appoint and pay servants, and may fine, suspend or dismiss them	,,	s.42.
Municipal servants deemed "public servants" within meaning of Indian Penal Code	,,	s.41.
Power to make rules as to security to be furnished by, and grant of leave, pensions and gratuities to, and establishment of and contributions to Provident Fund	,,	s.43.
Power to make rules as to appointment, fining, suspension, dismissal, pensions and gratuities of servants	,,	s.250(*c*),(*d*).
Power to make bye-laws for regulating conduct of servants	,,	s.255.
Government servants employed by Municipal Council :		
Employment and payment of, by Municipal Council, and contributions towards their pension	,,	s.40(*1*).
Contribution by Local Government towards pay of, when they do any work for Government	,,	s.40(*2*).
Dismissal and withdrawal of	,,	s.40(*3*),(*4*).

(e) General Powers of Official Control.

Collector ; power of, to provide for execution of resolution of Municipal Council in default of Chairman ; report to Local Government	,,	s.33.
,, general powers of control exerciseable by ; power of Local Government to confer those powers on any public officer	,,	s.34.
Collector or Local Government :		
Power of, to suspend action of Municipal Council ; report by Collector to Local Government	,,	s.35.
Local Government ; power of, to provide for performance of duties in case of default of Municipal Council	,,	s.37.
,, ,, power of, to frame forms and make rules	,,	s.250.
,, ,, annual report of proceedings to be furnished to	,,	s.252.
,, ,, power of, to appoint officers to inspect and superintend operations of Municipal Councils, also Secretaries, clerks and servants	,,	s.254.
Revenue-officer in charge of sub-division :		
Extraordinary power of, in case of emergency ; report to Local Government	,,	s.36.
Schools, hospitals, dispensaries and other charitable institutions, and books, etc., relating thereto, to be open to inspection of Government officers	,,	s.253.

3. Taxation.

Taxes which may be imposed	,,	s.47, Schs. A, B, D.
Procedure for imposing taxes	,,	ss.48, 50.

MUNICIPALITY—*cont.*

XII.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*cont.*

3. Taxation—*cont.*

Local Government may direct levy of taxes unless Municipal Council show cause to contrary - - - - - - - Mad. Act 4, 1884, section 49.
Compounding for taxes on vehicles, etc. - - - - „ s.79.
„ „ tolls - - - - - - „ s.91(2).
Exemptions from Taxes on Buildings, Lands, Vehicles and Animals :
Lighthouses, piers, wharves, jetties, choultries, hospitals, dispensaries, buildings used for charitable or religious purposes and burial and burning grounds - - - - - „ s.63(1).
Unoccupied buildings - - - - - - „ s.72.
Building or land less than six rupees in annual value, when it is the owner's sole property, liable to tax - - - „ s.63(3).
Vehicles and animals belonging to Government or the Municipal Council - - - - - - - - „ ss.78,85(4).
Certain other vehicles and animals - - - - „ s.78.
Exemptions from Tolls :
Troops, Government property, certain public officers and persons or property in their custody, and vehicles and animals licensed or registered by Municipal Council - - - - „ s.91(3).
Power to exempt from taxation—
persons - - - - - - - - „ s.51.
vehicle used solely for conveyance of children - - - „ s.77(1).
Power to exempt part of municipality from water-tax - - „ s.75(2).
Taxes not invalid for defect of form - - - - „ s.262.
Appeal against taxation ; limitation - - - - - „ ss.97 to 121.
Assessment and recovery of taxes :
Tax on arts, professions, trades and callings - - - „ ss.53 to 62.
Tax on buildings and lands - - - - - „ ss.63 to 74.
Water-tax - - - - - - - „ ss.75, 76.
Tax on vehicles with springs, palanquins and animals - - „ ss.77 to 84.
Tax on vehicles without springs - - - - „ ss.85 to 90.
Tolls - - - - - - - - - „ ss.91 to 96.
Collection of taxes generally - - - - - - „ ss.102 to 112.
Power to make bye-laws for collection of taxes - - - „ s.255.
Penalty for illegal collection of taxes - - - - „ s.284.
Recovery of taxes by distress and sale - - - - „ ss.89,90,95,96, 103 to 110, 262(3), Schs. E, F, G.
Registration of carts - - - - - - - - „ ss.85 to 90.
Lists of persons and property liable to taxes to be kept and to be open to inspection - - - - - - - - „ s.52.
Leasing of tolls - - - - - - - - „ s.92.
Exhibition of table of tolls - - - - - - - „ s.92(3).
Tax collectors deemed "public servants" within meaning of Indian Penal Code - - - - - - - - „ s.41.

4. Municipal Fund and Property.

Municipal Fund ; constitution of - - - - - - „ s.27.
„ „ application of - - - - - - „ ss.36,37,113(rep. in pt. Act 9, 1888), 250(e), 254.

MUNICIPALITY—*cont.*

XII.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*cont.*

4. Municipal Fund and Property—*cont.*

Municipal Fund; contributions from, to other Local Authorities - Mad.Act4,1884,s.114.
" " contributions to, by Local Board - - - Mad.Act5,1884,s.118.
" " authority on which money may be paid from - Mad.Act4,1884,section28(2).
" " custody and investment of - - - " s.28(1).
" " payment of compensation out of - - - " s.278.
" " accounts; estimates; sanction to expenditure - " ss.250(i),(j),(k), 251,252,253.
Municipal property: what property vested in Municipal Council - " ss.23,24.
" " power to vest other property in Municipal Council - - - - - " ss.22,25.
" " power to transfer to Municipal Council management of charitable endowments under Mad. Reg. 7, 1817 - - - - " s.26.
" " power to transfer management of any institution to Municipal Council - - - " s.115.
" " conditions on transfer of, by sale, mortgage, lease, etc. - - - - - " s.120(d).
" " acquisition of land for Municipal Council - " s.279.
" " compensation payable for damage to - - " s.281.
Contract: procedure for entering into, and mode of executing - " ss.44,45.
" member of Municipal Council not personally liable on - " s.46.
" penalty on member or servant of Municipal Council being interested in, made with Council - - - " s.260.
Suit against Municipal Council or officer thereof, etc.; notice and limitation of - - - - - - - - " s.261.
Liability of member of Municipal Council for loss, waste or misapplication of money or property - - - - - " s.259.

5. Police.

Municipal Commissioners to pay to Government part of cost of - Mad.Act7,1878,ss.4,5.
Annual statements and estimate to be furnished by District Superintendent of Police to Municipal Commissioners of receipts and expenditure on account of - - - - - - " s.6.
Police to report offences and to assist Chairman and servants of Municipal Council - - - - - - Mad.Act4,1884,s.282(1).
Arrest by police; detention of person arrested - - - " s.282(2).
Penalty on police-officer not performing duty - - - " s.282(3).

6. The Public Health, Safety and Convenience.

(a) *Streets, Bridges, etc.*
(b) *Buildings.*
(c) *Dangerous Buildings, etc.*
(d) *Buildings and Grounds in Insanitary Condition, etc.*
(e) *Deposit and Removal of Rubbish and Offensive Matter.*
(f) *Drains, Latrines and other Receptacles for Filth.*
(g) *Scavenging.*
(h) *Slaughter-places.*
(i) *Bathing and Washing Places.*
(j) *Water-supply.*
(k) *Food and Drink.*
(l) *Medical Relief.*
(m) *Vaccination.*
(n) *Restraint of Infection.*
(o) *Disposal of the Dead.*

MUNICIPALITY—*cont.*

XII.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*p*) *Offensive and Dangerous Trades.*
(*q*) *Prevention of Fire.*
(*r*) *Hackney-carriages, etc.*
(*s*) *Entry and Inspection.*
(*t*) *Registration of Births and Deaths.*
(*u*) *Education.*
(*v*) *Miscellaneous.*

(*a*) *Streets, Bridges, etc.*

Municipal Fund applicable to construction, repair and maintenance of streets, bridges and other means of communication, and lighting and cleansing of streets	Mad. Act 4, 1884,	section 113.
Municipal Council to repair and maintain public streets and bridges	„	s.157(*1*).
Power to make and maintain footways in streets	„	s.157(*2*).
Power to make new public streets, bridges and tunnels, and divert or improve street; compensation; acquisition of land for building-sites	„	s.158.
Municipal Council to guard against accidents in constructing or repairing streets, and use light at night; penalty for extinguishing light, etc.	„	s.172.
Making of new streets under license from Municipal Council	„	s.161.
Paving, etc., of private streets	„	s.162.
Conversion of private street into public street, by agreement with owner	„	s.163.
Watering and lighting of streets	„	s.175.
Cleansing of streets	„	s.216.
Naming of streets; penalty for defacing, etc., name	„	s.174.
Power to close street	„	ss.158(*1*),159.
Power to permit temporary erection in street	„	s.170.
License to be obtained, and hoarding erected, before obstructing street or footway by repairing, etc., building; lighting of hoarding at night	„	s.171.
Culverts over ditches at entrance of building, etc.	„	s.166.
Troughs and pipes for carrying water from building		
Repair of external walls of building or premises adjoining public thoroughfare		
Encroachment on public street	„	s.167.
Power to prohibit sale of articles in public street; penalty	„	s.203.
Maintenance of fences for land adjoining roadway; trimming of hedges bordering on, or branches overhanging, street	„	s.176.
Prohibition of depositing articles or making hole in street	„	s.173.
Penalty for allowing offensive matter to flow, etc., into street	„	s.222.
Prohibition of altering materials, fences or posts of public street	„	s.160.
Penalty for allowing child to commit nuisance in or by side of street	„	s.225.
Power to make bye-laws for securing cleanliness, safety and order in streets	„	s.255.

(*b*) *Buildings.*

License for new building; powers of Municipal Council	„	ss.180,181.
Regulation of use of inflammable materials in external roof, wall, etc.	„	s.179.
„ of line of buildings; compensation	„	ss.164,165.
Removal of projection or encroachment from building; compensation	„	s.168.
Permission to put up projecting verandah, etc.	„	s.169.

MUNICIPALITY—*cont.*

XII.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*b*) *Buildings*—cont.

Affixing to buildings brackets for wires or lamps	Mad. Act 4, 1884,	section 178.
Numbering of buildings; penalty for defacing, etc., number	„	s.182.
Unauthorised building over sewer or drain vested in Municipal Council or open ground covered, etc., by rubbish	„	s.212.
Municipal Council may erect buildings on vacant land and lease same	„	s.177.

See also below, (*c*), (*d*).

(*c*) *Dangerous Buildings, etc.*

Power to stop erection of building if work dangerous to human life	„	s.181.
Fencing, etc., of ruinous or dangerous building, tree, etc.	„	s.183.
Repair, protection or enclosure of dangerous building, well, tank, hole, etc.	„	s.185.

(*d*) *Buildings and Grounds in Insanitary Condition, etc.*

Securing, enclosing, clearing or cleansing of untenanted building or land becoming a nuisance	„	s.184.
Cleansing, etc., of building or land in filthy or unwholesome state or overgrown with noxious vegetation	„	s.186(*1*).
Cleansing of filthy or unwholesome building	„	s.186(*2*).
Powers for removal, etc., of block of buildings occasioning risk of disease; compensation for removal	„	s.187.
Abatement of overcrowding of buildings; penalty	„	s.226.

(*e*) *Deposit and Removal of Rubbish and Offensive Matter.*

Places for deposit, and method of removal; penalty for deposit elsewhere	„	ss.217,218.
Provision of receptacles for temporary deposit, and keeping them in readiness for removal of contents; penalty	„	ss.219,220.
Penalty for keeping offensive matter more than 24 hours or not in proper receptacle, or not disposing of filth as directed by Municipal Council	„	s.221.
Penalty for using cart, etc., without cover, or spilling offensive matter in course of removal, etc.	„	s.223.

(*f*) *Drains, Latrines and other Receptacles for Filth.*

Municipal Fund applicable to construction, etc., of drains and sewers	„	s.113.
Construction and maintenance of drainage-works to be under direction of Municipal Council; carrying drainage works across private property; compensation	„	s.210.
Municipal Council to guard against accident in constructing or repairing drain, and to use light at night; penalty for extinguishing light, etc.	„	s.172.
Permission of Municipal Council required to interference with public sewer or drain	„	s.211.
Unauthorised building over sewer or drain vested in Municipal Council	„	s.212.
Penalty for putting earth, refuse, etc., into sewer or drain belonging to Municipal Council	„	s.224.

MUNICIPALITY—*cont.*

XII.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*f*) *Drains, Latrines and other Receptacles for Filth*—cont.

Permission of Municipal Council required to construction of drain, privy or cesspool	Mad.Act4,1884,	sec.213.
Branch drains and private latrines, privies and cesspools to be under control of Municipal Council; cleansing of private drain, latrine, privy or cesspool	„	s.214.
Provision and maintenance of public latrines and urinals	„	s.206(*1*).
Licensing of latrines kept for public use	„	s.206(*2*).
Provision and maintenance of private latrines	„	s.207(*1*).
Private latrines to be shut out from view	„	s.207(*2*).
Provision and maintenance of latrines and urinals for workmen	„	s.208.
Penalty for not keeping offensive matter in proper receptacle, or not cleansing same	„	s.221.
Penalty for failure to comply with requisition as to repair, paving or cleansing of latrine	„	s.221.

See also below, (*k*), (*s*).

(*g*) *Scavenging.*

Power to supply scavenger under agreement with owner or occupier of building or land	„	s.209.

(*h*) *Slaughter-places.*

Public slaughter-houses; power to permit slaughter elsewhere on occasion of festivals, etc.; penalty for slaughter at unauthorised place	„	ss.191,192.
Exception as to Government slaughter-houses	„	s.193.
Power to make bye-laws for management of slaughter-houses	„	s.255.

(*i*) *Bathing and Washing Places.*

Power to set apart public tanks, etc., for bathing or washing purposes	„	s.154.
Places for washing of articles exposed to infection; penalty	„	s.232(*1*),(*3*).
Penalty for fouling water of	„	s.155.

(*j*) *Water-supply.*

Municipal Fund applicable to construction, etc., of water-works, tanks and wells	„	s.113.
Municipal Council to provide sufficient supply of water for domestic use	„	s.143(*1*).
„ „ to have control of sources of public water-supply	„	s.143(*2*),(*3*).
Power to construct and provide channels, works, etc., for supply of water, and to maintain same; compensation	„	ss.144to14*c*.
Supply of water on application of owner or occupier of building	„	s.147.
Power to enter premises	„	s.148.
Penalty for waste or misuse of water	„	s.149.
„ „ trespass on channel, land, etc.	„	s.150.
„ „ unlawfully damaging channel, works, etc., or diverting water	„	s.151.

MUNICIPALITY—*cont.*

XII.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*j*) *Water-supply*—cont.

Penalty for fouling water by carrying on offensive trade or manufacture; power to examine pipes or works	Mad. Act 4, 1884,	ss.152,153.
„ „ unlawful removal of earth, sand, etc., from, deposit of matter on, encroachment on, or obstruction of, river, public water-course, etc.	„	s.229.
Power to set apart public tanks, etc., for drinking purposes	„	ss.154.
Repair, cleansing or protection of private stream, etc., used for drinking purposes	„	s.156(*1*).
Prohibition of use for drinking purposes of water of private well, etc., which is unfit for such use	„	s.156(*2*).
Penalty for fouling drinking water	„	s.155.
Supply of water for private market	„	ss.200,201(*1*).
Cleansing, filling-up or draining of public wells, etc., injurious to health	„	s.227.
Cleansing, fencing, etc., of private well or tank injurious to health or offensive; removal of stagnant water	„	s.228.

(*k*) *Food and Drink.*

Municipal Fund applicable to construction, etc., of markets	„	s.113.
Public market; power to provide and close; power to charge fees, etc.; power to expel person disobeying bye-law and determine his lease of shop, etc.	„	s.194.
„ „ penalty for selling in, without permission of Municipal Council	„	s.195.
Private market for sale of food:		
Licensing of	„	ss.196,198.
Penalty for keeping open, or selling in, unlicensed market	„	ss.197,199, 201(*1*).
Roofing and paving of; drains, cess-pits, latrines, urinals, and supply of water for; alterations in stalls, etc., of; penalty	„	ss.200,201(*1*).
Penalty for causing or not removing nuisance	„	s.201(*2*).
Power to close unlicensed market	„	s.202.
Markets; power to make bye-laws for management of	„	s.255.
Power to enter and inspect place used for sale or storage of food or drink for man, and detain articles unfit for human consumption, and report to Magistrate; Magistrate's power to order destruction of article or its return to owner and payment of compensation	„	s.204.

(*l*) *Medical Relief.*

Municipal Fund applicable to construction, etc., of hospitals and dispensaries, and training and employment of medical practitioners	„	s.113(*ii*).
Municipal Council to provide and maintain one or more hospitals or dispensaries for the sick poor; exception	„	s.125.
Municipal Council to provide equipments for such hospitals or dispensaries and to employ medical officer	„	ss.126,127(*2*).

MUNICIPALITY—*cont.*

XII.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*l*) *Medical Relief*—cont.

Treatment of paying patients or of strangers in such hospitals or dispensaries	Mad. Act 4, 1884,	ss.127,128.
Power to make rules as to grants-in-aid	„	s.250(*f*).
Inspection of hospitals and dispensaries by Government officers	„	s.253.

(*m*) *Vaccination.*

Municipal Fund applicable to training and employment of vaccinators	„	s.113(*ii*).
Municipal Council to provide for gratuitous vaccination	„	s.129.
Licensing of vaccinators	„	s.130.
No fee to be charged by public vaccinator	„	s.131.
Certificate of successful vaccination, or insusceptibility thereto, to be given to parent or guardian	„	ss.132,137(2),(4).
Power to declare vaccination compulsory	„	s.133.
Procedure for effecting vaccination; duties of parents or guardians, vaccinators and Chairman of Municipal Council	„	ss.134to139.
Penalty on parent or guardian disobeying order to have child vaccinated	„	s.138(3).
Penalty for making false certificate, etc.	„	ss.140,141.
Prohibition of inoculation; entry of inoculated person into municipality; penalty	„	s.142.
Inspection of vaccine stations by Government officers	„	s.253.

(*n*) *Restraint of Infection.*

Power to enter and inspect premises where epidemic, endemic or dangerous infectious disease suspected; disinfection of premises or articles	„	ss.231.
Places for washing of articles exposed to infection; penalty	„	s.232(1),(3).
Destruction of articles exposed to infection; compensation	„	s.232(2).
Power to order removal to hospital of person suffering from dangerous infectious disease	„	s.233.

(*o*) *Disposal of the Dead.*

Provision of burial and burning-grounds	„	s.234.
Registration or closing of burial or burning-grounds existing at commencement of Act	„	ss.235,237.
Licensing of new grounds	„	ss.236,237.
Penalty for burying or burning corpse in unregistered or unlicensed place	„	s.238.
Report of burials and burnings of corpses	„	s.239.
Power to direct disuse of burial or burning-ground; penalty	„	s.240.
Licensing of grave-diggers and other attendants at public burial or burning-ground	„	s.242.
Directions as to depth of grave, distance between graves, re-opening of graves, and other matters relating to burial, and directions as to burning; penalty	„	s.241.
Penalty for improperly carrying, etc., corpse	„	s.241.

MUNICIPALITY—*cont.*

XII.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*p*) *Offensive and Dangerous Trades.*

Licensing of; appeal; penalty; exception as to places used by Government	Mad. Act 4, 1884	ss.188,189, 193.
Power to make bye-laws for management of offensive trades	„	s.255.

See also above, (*j*).

(*q*) *Prevention of Fire.*

Regulation of use of inflammable materials in external roof, wall, etc.	„	s.179.
Licensing of gunpowder or firework manufactory, place for storing explosive or combustible materials, or place for sale or storage of wood, thatching materials, hay, grass, straw or coal; appeal; limitation of appeal; penalty	„	ss.188,189.
Exception as to places used by Government	„	s.193.

(*r*) *Hackney-carriages, etc.*

Licensing of livery or hack-stables, horse-lines, veterinary infirmaries and cattle-sheds or yards; appeal; penalty	„	ss.188,189.
Exception as to places used by Government	„	s.193.

(*s*) *Entry and Inspection.*

General power to enter building or land	„	s.274(*1*).
Power to enter building or land to examine water-pipes, etc.	„	s.148.
„ „ „ lands adjacent to municipal works, for depositing materials, etc.; compensation; notice of entry	„	s.275.
Expense of inspection of drain, latrine, privy or cesspool, when to be borne by owner and when by Municipal Council	„	s.215.
Precautions to be observed in entering building occupied by woman	„	s.274(*2*).

See also above, (*k*), (*n*).

(*t*) *Registration of Births and Deaths.*

Municipal Fund applicable to	„	s.113.
Register to be kept and registrars appointed	„	s.243.
Registrar to reside in his district, and to post his name; list of registrars to be published	„	s.244.
Register-book to be printed	„	s.245.
Registrar to inform himself of, and register, all births and deaths	„	s.246.
Information of births and deaths by whom to be given	„	ss.247,248.
Signing of register; extracts from register	„	s.249.

(*u*) *Education.*

Municipal Fund applicable to diffusion of	„	s.113.
Municipal Council to provide for instruction of children in schools	„	s.117.
Methods of providing instruction (maintaining schools, giving grants-in-aid to schools, etc.)	„	s.118.
Local Government may direct Municipal Council to give grant-in-aid to school for children of particular class of inhabitants	„	s.120.
Municipal Council may maintain or aid free primary schools	„	s.119.
Local Government to prescribe standards of instruction	„	ss.121,250(*e*).

MUNICIPALITY—*cont.*

XII.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*u*) *Education*—cont.

Fees to be levied in schools; power to exempt from payment	Mad. Act 4, 1884	secs. 122, 250(*e*).
Municipal Council may aid construction or repair of buildings for private schools	„	s. 123.
Municipal Council may provide for— inspection of schools; training of teachers; training persons for practice of medicine, vaccination or any technical or industrial calling, or; maintenance of public libraries, reading rooms, gymnasia, etc.	„	s. 124.
Power to make rules as to grants-in-aid	„	s. 250(*f*).
Inspection of schools, etc., by Government officers	„	s. 253.

(*v*) *Miscellaneous.*

Municipal Fund applicable to construction, etc., of lunatic asylums, poor-houses and choultries, sanitary inspection, and other measures of public utility	„	s. 113.
Licensing of public halting-places and cart-stands; appeal; penalty	„	ss. 188, 189.
Power to provide places for cart-stands or public halting-places, and levy fees for use thereof	„	s. 190.
Weights and measures; power to examine and test	„	s. 205.
Stray dogs and pigs; destruction of	„	s. 230.
Nuisance, public; power to direct prosecution for	„	s. 280.
Power to make bye-laws as to conservancy and for securing good government and well-being of municipality	„	s. 255.
Power to exempt municipality from ss. 117 to 249 or any of them	„	s. 116.
Licensing of places of public resort or entertainment. *See* PLACES OF PUBLIC RESORT, ETC.		

7. Supplemental.

Rules; power to make	„	ss. 38, 43, 250.
Bye-laws; power to make	„	s. 255(*1*).
„ penalty for breach of	„	s. 255(*1*), (*2*).
„ confirmation of	„	s. 255(*3*).
Rules and bye-laws to be published in draft	„	s. 256(*1*).
„ „ not to have effect until three months after publication	„	s. 256(*2*).
Act, rules and bye-laws to be kept at municipal office for sale	„	s. 257.
Notices, etc.; service of	„	s. 271.
„ when to be served on occupier	„	s. 272.
Notice; when not complied with, Municipal Council may perform act	„	s. 264(*2*) to (*4*).
Penalty for not complying with notice	„	s. 264(*1*).
„ „ unlawfully doing act without license or permission, or in contravention of terms thereof	„	s. 263.
Notice to be put up when Municipal Council sets any place apart for purposes of Act or prohibits doing of act in any place	„	s. 276.
Penalty for defacing, etc., notice	„	s. 277(*2*).
Publication of notifications	„	s. 289.

MUNICIPALITY—*cont.*

XII.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*cont.*

7. Supplemental—*cont.*

Recovery of cost of work executed by Municipal Council in default of owner or occupier	Mad.Act4,1884	ss.264(3),(4),265.
„ „ moneys claimable by Municipal Council	„	s.269.
Execution of work by occupier in default of owner; deduction of expenses from rent	„	s.266.
Deduction from rent of sums paid by occupier for owner	„	ss.266,272(3).
Procedure where occupier obstructs owner in execution of Act	„	s.273.
Compensation payable out of Municipal Fund	„	s.278.
„ „ to Municipal Council, for damaging its property	„	s.281.
Surplus sale-proceeds if not claimed within six months to be forfeited to Municipal Council	„	s.270.
Penalty for obstructing Municipal Council or any person in execution of Act, or removing mark	„	s.277(1).
„ „ omitting to furnish information or for furnishing false information	„	s.283.
„ „ illegal taking of money or seizure of property, etc.	„	s.284.
Payments for unauthorized occupation of municipal land	„	s.268.
Prosecutions under other law not barred	„	s.287.
Fees for licenses, registration, etc.	„	s.267.
Fines; enforcement of	„	s.280.
Fines, costs, etc.; recovery of	„	s.286(1),(2).
„ application of	„	s.286(3).
Delegation of Local Government's powers	„	s.288.
Vacancies and irregularities not to invalidate proceedings	„	ss.258,262.

XIII.—CITY OF MADRAS.

1. Preliminary.

Definitions	Mad.Act1,1884	s.3(rep.in pt.and am.Mad.Act7,1884,ss.1,2; am.Mad.Act2 1892,s.3),ss. 214,351.

2. Constitution and Government.

(a) The Municipal Area.

Power to declare and alter area	„	s.4.
„ divide area	„	s.5.

(b) The Municipal Commission.

Constitution and incorporation of	„	s.6(am.Mad.Act 2,1892,s.2).
Election of Commissioners	„	ss.7 to 13,15 to 18, 31(am.Mad. Act2,1892, ss.5to9,12).
Appointment of Commissioners	„	ss.7,8,13,25, 31(am.Mad. Act2,1892,ss. 5,7,12).

MUNICIPALITY—*cont.*

XIII.—CITY OF MADRAS—*cont.*

2. Constitution and Government—*cont.*

(*b*) *The Municipal Commission*—cont.

Distribution of Commissioners among divisions - - -	Mad.Act1,1884,secs.14,16,
Preparation, publication and revision of lists of persons qualified to be elected and to vote; appeal to Presidency Magistrate - -	„ ss.19to24.
Term of office of Commissioners - - - - -	„ s.26.
Disqualifications of Commissioners - - - - -	„ ss.27,28(am.Mad. Act2,1892, ss.10,11).
Resignation of Commissioners; filling of casual vacancies - -	„ ss.30,31(am.Mad. Act2,1892, s.12).
President; appointment, powers, responsibility, duties, salary and removal of - - - - - -	„ ss.34to36(am. Mad.Act7, 1884,s.4; Mad. Act2,1892, ss.14to16.
„ leave of absence to; leave-allowance; appointment of substitute - - - - - -	„ ss.45,46(am.Mad. Act2,1892, ss.22,23).
„ to submit reports - - - - - -	„ ss.69,91(am.Mad. Act7,1884,s.12; Mad.Act2,1892, s.34).
Conduct of business - - - - - - -	„ ss.68,69(am.Mad. Act2,1892,ss.33, 34),70to76, 413(*a*).
General powers and duties of Commissioners - - -	„ ss.61,62(am.Mad. Act2,1892, ss.30,31),63.
Standing Committee; constitution of - - - -	„ s.67(am.Mad.Act 2,1892,s.32).
„ „ general powers and duties of - - -	„ ss.78to80(am. Mad.Act2,1892, s.35).
„ „ power of, to appoint sub-committees and make rules - - - - - -	„ s.81.
„ „ conduct of business by - - - -	„ ss.82(am.Mad. Act2,1892, s.36),83,
Sub-committees: appointment of; record and submission of their proceedings - - - - - - -	„ s.77.

(*c*) *Officers and Servants.*

Revenue Officer, Health Officer and Engineer:

Appointment, salaries, leave-allowances, pension, duties and removal of - - - - - - -	„ ss.37to39(am. Mad.Act2,1892, ss.17to19.

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MUNICIPALITY—*cont.*

XIII.—CITY OF MADRAS—*cont.*

2. Constitution and Government—*cont.*

(*c*) *Officers and Servants*—cont.

Special Sanitary Officer:

Power to appoint; salary; his powers of entry and inspection - Mad.Act1,1884,secs.41to43 (am.Mad.Act2, 1892,s.20).

Other officers and servants:

Appointment, salary and removal of; appeals from orders of suspensions or dismissal - - - - - - „ s.44(am.Mad.Act 2,1892,s.21).

Power to make bye-laws as to performance of duties by - - „ s.413(*d*).

Leave of absence; leave-allowances; appointment of substitutes - „ ss.45to47(am.Mad. Act2,1892, ss.22to24).

Pensions and gratuities - - - - - - - „ s.48.

Municipal officers and servants deemed "public servants" - - „ s.56.

(*d*) *General Powers of Official Control.*

Power of Local Government—

to provide for performance of duties in default of Commissioners and to direct raising of funds for the purpose - „ ss.64to66.

to call for statistics - - - - - - - „ s.97.

3. Taxation, and Payments for Occupation of Land.

Taxes which may be imposed - - - - - - „ ss.98(rep.in pt. Mad.Act7,1884), 99(am.Mad.Act 7,1884,s.15),103, 114,119,120,138 (am.Mad.Act7, 1884,s.16),140 148,150,153,164. 170,179,Schs.A (am.Mad.Act 2,1892,s.69), B,D,E.

Power of Local Government to direct levy or increase of taxes to provide for performance of duties in default of Commissioners - „ s.65.

Lists of persons and property liable to taxes - - - „ ss.101,102.

Tax on Arts, Professions, Callings, Offices and Appointments:

Assessment, payment and recovery of - - - - - „ ss.103to113,Sch.A (am.Mad.Act2, 1892,s.69).

Tax on Salaries:

Assessment, payment and recovery of - - - - „ ss.114to118.

Tax on Buildings and Lands:

Assessment and payment of - - - - - - „ ss.119to135.

Remission of tax for period during which building remains unoccupied - - - - - - - - „ s.132.

MUNICIPALITY—*cont.*

XIII.—CITY OF MADRAS—*cont.*

3. Taxation, and Payments for Occupation of Land—*cont.*

Water-tax :

Assessment, payment and recovery of - - - - Mad.Act1,1884,ss.138(am. Mad.Act7,1884, s.16),139,140,146.

Application of - - - - - - - „ s.147.

Lighting-tax :

Assessment and payment of - - - - - - „ ss.148to151.

Separate account to be kept for - - - - - „ s.152.

Tax on Vehicles and Animals :

Assessment, payment and recovery of - - - - „ ss.153to163. Schs.B,C.

Power to compound for - - - - - - „ s.155.

Power of entry for discovery of vehicles or animals liable to - „ s.159.

Licenses - - - - - - - - - „ ss.162,163.

Registration of carts - - - - - - „ ss.164(am.Mad. Act2,1892,s.40), 165to169.

Tolls on Vehicles and Animals entering municipal limits :

Collection and leasing of - - - - - „ ss.170to178. Sch.D.

Power to compound for - - - - - - „ s.175.

Tax upon places used for retail sale of Spirituous and Intoxicating Liquors :

Power to impose tax ; if sanction to levy of tax refused, Local Government to assign sum to Commissioners in lieu of tax - „ ss.98,99(am.Mad. Act7,1884, s.15),s.179, Sch.E.

Registration of places used for sale ; assessment and recovery of tax ; licenses - - - - - - „ ss.179to184, Sch.E.

Payments for occupation of Municipal Lands :

Power to demand ; recovery of - - - - - „ ss.98,99,136,137.

Disposal of complaints, objections, applications for revision, and appeals ; limitation ; reference to High Court - - - „ ss.190to192(am. Mad.Act7,1884, ss.18,19;Mad. Act2,1892,ss. 41,42),ss.193, 194,196.

When amount of tax altered, increased amount to be levied or refund made - - - - - - - - „ s.195.

Collection of taxes generally ; distress and sale ; suits ; prosecutions ; service of bills, notices, etc. - - - - - „ s.197(am.Mad. Act7,1884,s.20), ss.198to207,Schs. G,H,I,K).

Assessment, etc., not invalid for defect of form - - - „ s.208.

Contractors and agents for collection of taxes or of payments on account of municipal lands deemed "public servants" - - „ s.56.

General power to enter and inspect places and demand information - „ ss.452to454.

MUNICIPALITY—*cont.*

XIII.—CITY OF MADRAS—*cont.*

3. Taxation, and Payments for Occupation of Land—*cont.*

Exemptions from taxes :

Power of Commissioners to exempt persons on ground of poverty. Mad.Act1,1884,section100.

Light-houses, public piers, wharves, jetties, etc., places of public worship, and burial and burning-grounds, exempted from tax on buildings and lands and water-tax — „ ss.119,138(am. Mad.Act7, 1884,s.16).

Buildings and lands less than Rs. 14 in value, exempted from tax on buildings and lands, water-tax and lighting-tax — „ ss.122,139,149.

Power of Local Government to exempt division of municipality from water-tax or lighting-tax — „ s.138(am.Mad. Act7,1884,s.16), s.148.

Buildings and lands in Fort may be exempted from lighting-tax — „ s.151.

Property of Madras Harbour Trust exempted from assessment of any rate or tax — Mad.Act2,1886,section28.

Tax on Vehicles and Animals :

Power to exempt vehicle used solely for conveyance of children — Mad.Act1,1884,section 153.

Certain vehicles and animals exempted — „ ss.154,164(am. Mad.Act2, 1892,s.40).

Toll on vehicles and animals entering municipal limits :

Certain property exempted — „ ss.170,174.

4. Municipal Fund and Property.

Municipal Fund; constitution of — „ s.59.

„ „ custody of — „ s.60.

„ „ authority for payments from — „ s.60(am.Mad.Act 2,1892,s.29).

„ „ application of — „ ss.60,65.

„ „ budgets — „ ss.61(*a*),(*b*),84 to 91(am.Mad.Act 7,1884,ss.10to 12; Mad.Act2, 1892,ss.37,38), 413(*b*).

„ „ form of accounts — „ s.413(*c*).

„ „ audit of accounts — „ ss.79,92to96(am. Mad.Act7,1884. ss.13,14).

„ „ power of Local Government to direct raising of loans — „ s.66.

„ „ borrowing powers — „ ss.61(*e*),209to211.

Municipal property; what property vested in Commissioners — „ s.58.

„ „ rubbish and offensive matter collected under orders of President to be property of Commissioners — „ 315.

MUNICIPALITY—*cont.*

XIII.—CITY OF MADRAS—*cont.*

4. Municipal Fund and Property—*cont.*

Municipal property; acquisition of land or building for Commissioners - - - - - - Mad.Act.1,1884,section 443.

„ „ power to sell or lease land - - - ss.137,236(am. Mad.Act2,1892, c.45),s.444.

„ „ Municipal Act not to affect vesting of property in Madras Harbour Trust - - - Mad.Act2,1886,s.25.

Contract; power to enter into - - - - - - Mad.Act1,1884,section238.

„ procedure for entering into, and mode of executing; sealing; specifications in; consent of or report to Standing Committee when required to execution; tenders - - - - - - „ ss.49to52(am. Mad.Act2, 1892,ss.25to 27),ss.53,54.

„ penalty on Commissioner, President, officer or servant being interested in, made with Commissioners - - „ ss.29,55(am.Mad· Act2,1892, s.28).

Suit against Commissioners, etc.; notice of suit; limitation; tender of amends - - - - - - - - „ ss.433to435.

5. Police.

Municipal Commissioners to pay to Government part of cost of - Mad.Act7,1878,ss.3,5.

Annual statement and estimate to be furnished by Commissioner of Police to Municipal Commissioners of receipts and expenditure on account of - - - - - - - - ,, s.6.

Police-officers to seize and detain unregistered carts - - - Mad.Act1,1884,section168.

„ to assist Toll Collectors - - - - „ s.176.

„ to report offences and assist Commissioners and their officers - - - - - - - „ s.56.

„ power of, to arrest offenders; detention of offender - „ s.457(am.Mad· Act7,1884, s.26).

6. The Public Health, Safety and Convenience.

(*a*) *Streets and Public Places.*
(*b*) *Buildings.*
(*c*) *Dangerous Buildings, etc.*
(*d*) *Buildings and Grounds in Insanitary Condition, etc.*
(*e*) *Deposit and Removal of Rubbish and Offensive Matter.*
(*f*) *Drains, Latrines and other Receptacles for Filth.*
(*g*) *Slaughter-places, etc.*
(*h*) *Bathing and Washing Places.*
(*i*) *Water-supply.*
(*j*) *Food and Drink.*
(*k*) *Vaccination.*
(*l*) *Restraint of Infection.*
(*m*) *Disposal of the Dead.*
(*n*) *Offensive and Dangerous Trades.*
(*o*) *Prevention and Extinction of Fire.*
(*p*) *Hackney-carriages, Hack-stables, Horse-lines, Cart-stands, Cattle-yards, etc.*
(*q*) *Entry and Inspection.*
(*r*) *Taking of Census and Registration of Births and Deaths.*
(*s*) *Miscellaneous.*

(*a*) *Streets and Public Places.*

Municipal Fund applicable to—
lighting of public streets, places and buildings - - - -
regulation of traffic - - - - - - Mad.Act1,1884,s.33(*a*).
prevention and removal of obstructions in public streets or places

MUNICIPALITY—*cont.*

XIII.—CITY OF MADRAS—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*a*) *Streets and Public Places*—cont.

Municipal Fund Applicable to—*cont.*
cleansing and watering of streets
construction, etc., of streets, bridges, etc.
naming of streets
removal of undue projections
planting of trees in public streets and places — Mad. Act 1, 1884, section 33, (*b*), (*d*).

Rights, powers and duties of Commissioners in respect of public streets; acquisition and disposal of land and of building-sites adjoining streets — „ ss.233 to 235, 236 (am. Mad. Act 2, 1892, s.45), ss. 237 to 240.

Power to close streets — „ ss.234, 241.

Private street; making of, under license — „ s.244 (am. Mad. Act 2, 1892, s.46), 245 to 247.

„ „ paving, etc., of — „ s.248.

„ „ conversion of, into public street — „ s.249.

Public street; alteration of buildings to improve line of; compensation — „ ss.262, 263.

„ „ troughs and pipes for carrying water from building — „ s.279 (am. Mad. Act 2, 1892, s.57.

Cleansing of streets — „ ss.304, 305.

Watering of streets — „ s.328.

Naming of streets; penalty for defacing, etc., name — „ s.296.

Speedy restoration of street after repairs, etc.; fencing, guarding and lighting — „ s.253.

License to be obtained and hoards to be set up, etc., when repairing building in or near street — „ ss.290, 291 (am. Mad. Act 2, 1892, s.58).

Precautions to be taken by President against accidents in repairing street, etc.; penalty for extinguishing light, etc. — „ ss.292, 293.

Penalty for injuring, altering, etc., payment or other materials of street — „ s.243.

Penalty for allowing sewage to flow into street — „ s.314.

Trimming of trees overhanging public street — „ s.329.

Power to prohibit sales in public street — „ s.366.

Prohibition and powers with respect to obstructions in, encroachments on, or projections over, public street, etc., from building, etc.; compensation — „ ss.283 to 289.

Power to permit temporary erection in street on occasion of festival or ceremony — „ s.289.

Depositing of things, or making holes in street — „ ss.294, 295.

Power to make bye-laws for securing cleanliness, safety and order in streets and public places — „ s.413(*n*).

(*b*) *Buildings.*

Municipal Fund applicable to regulation of buildings, numbering of houses and construction, etc., of buildings for purposes of Act — „ s.33(*d*).

MUNICIPALITY—*cont.*

XIII.—CITY OF MADRAS—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*b*) *Buildings*—cont.

Power to affix brackets for wires or lamps	Mad. Act 1, 1884,	section 242.
Unlawful building over public drain, or on ground covered, etc., by rubbish	„	s.261.
Roof, wall, etc., not to be made of inflammable material without permission of President	„	s.264.
Construction or restoration of building; plans; powers of President	„	ss.265 to 269 (am. Mad. Act 2, 1892, ss.48 to 52).
External walls adjoining public thoroughfare to be kept in repair	„	s.270.
Control over building of huts or sheds	„	ss.271 to 273 (am. Mad. Act 2, 1892, ss.53, 54).
Numbering of buildings; penalty for defacing, etc., number	„	s.297.
Power to enter and inspect buildings and direct cleansing thereof	„	s.322.
„ to make bye-laws as to regulation of	„	s.413(*f*).

See also above, (*a*), *and below*, (*c*), (*d*).

(*c*) *Dangerous Buildings, etc.*

Municipal Fund applicable to control, supervision and removal of dangerous places, buildings, etc.	„	s.33(*a*).
Power to stop construction of building or well dangerous to human life	„	s.269 (am. Mad. Act 2, 1892, s.52).
Fencing and removal, securing or repair of ruinous or dangerous building, tree, etc.	„	ss.298 to 300.
Demolition, repair, protection or enclosure of dangerous building, tank, well, hole, etc.	„	s.302 (am. Mad. Act 2, 1892, s.60).

(*d*) *Buildings and Grounds in Insanitary Condition, etc.*

Municipal Fund applicable to reclamation of unhealthy localities, removal of excessive or noxious vegetation, and regulation and control of unhealthy buildings and localities	„	s.33(*b*)(2). (3),(4).
Securing, enclosing, cleaning or cleansing of building or land untenanted or a nuisance	„	s.301 (am. Mad. Act 2, 1892, s.59).
Cleansing, etc., of building or land in filthy or unwholesome state or overgrown with noxious vegetation	„	s.321.
Removal, etc., of block of buildings occasioning risk of disease; compensation	„	s.323 (am. Mad. Act 2, 1892, s.62).
Abatement of overcrowding in building	„	s.324.
Filling-up, draining, fencing, etc., of wells, receptacles of stagnant water, etc.	„	ss.325 to 327.
Maintenance of fences and trimming of hedges or trees	„	s.329.

(*e*) *Deposit and Removal of Rubbish and Offensive Matter.*

Municipal Fund applicable to maintenance, etc., of sewage farms and tramways and other works for removal of sewage, and to scavenging	„	s.33(*b*)(2),(3).

MUNICIPALITY – *cont.*

XIII.—CITY OF MADRAS—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*e*) *Deposit and Removal of Rubbish and Offensive Matter*—cont.

Provision and use of depôts, dust-bins, carts or other means of transport, and private receptacles; penalties		Mad.Act1,1884,ss.306to312(am.Mad.Act2,1892,s.61),313,316.

(*f*) *Drains, Latrines and other Receptacles for Filth.*

Municipal Fund applicable to construction, etc., of latrines, privies, urinals, drains, sewers and drainage-works	„	s.33(*b*)(*2*),(*3*).
Rights, powers and duties of Commissioners in respect of drainage-system	„	s.254(am.Mad.Act2,1892,s.47),ss.255to259.
Powers exerciseable outside municipality in respect of making connecting drains, etc.	„	ss.219,220.
Penalties for obstruction, etc., of sewer or drain vested in Commissioners	„	ss.260,261.
Drainage of private premises	„	ss.273to277(am.Mad.Act2,1892,ss.55to57),s.278.
Cesspools, latrines, privies and urinals for private premises	„	ss.276,277(am.Mad.Act2,1892,s.57),ss.278,280,281.
Latrines and urinals for markets, cart-stands and cattle-stands	„	s.282.
Penalty for throwing refuse, etc., into drain	„	s.317(am.Mad.Act7,1884,s.22).
Latrines and urinals for public use	„	ss.319,320.

(*g*) *Slaughter-places, etc.*

Municipal Fund applicable to construction, etc., of public slaughter-houses	„	33(*b*)(2).
Commissioners to provide slaughter-houses, and may charge tolls and fees for use thereof	„	s.345(am.Mad Act7,1884,s.23).
Licensing of slaughter-houses and places for selling or storing meat; power to allow slaughtering at any place on occasion of festival, etc.	„	s.346(am.Mad.Act2,1892,s.66).
Licensing of slaughter	„	s.347.
Penalty for slaughtering, etc., in unauthorised place	„	s.348.
Power of entry and inspection	„	s.349.
„ to make bye-laws for control, etc., of butchers, slaughter-houses, and places used for keeping, etc., meat	„	s.413(*h*),(*i*).

(*h*) *Bathing and Washing Places.*

Provision of; penalty for fouling water of	„	ss.227,229.
Power to make bye-laws as to	„	s.413(*e*).

MUNICIPALITY—*cont.*

XIII.—CITY OF MADRAS—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(i) Water-supply.

Municipal Fund applicable to construction, etc., of water-works, drinking fountains, tanks and wells - - - - Mad.Act1,1884, s.33(*b*)(*2*).

Provision of, by Commissioners; construction of works, etc. - „ ss.212to215, 218,221.

Public tanks, etc., vested in Commissioners - - - - „ s.223.

Maintenance and closing of public tanks, etc. - - - „ s.224.

Powers exerciseable outside municipality in respect of - - „ ss.219,220.

Contracts for supply of water - - - - - - „ ss.141to143.

Power of entry - - - - - - - - „ s.144.

Penalties for waste of water, etc. - - - - - „ ss.144to146(am. Mad.Act7,1884, s.17; Mad.Act2, 1892,s.39).

Trespass on premises connected with - - - - „ ss.216,217,

Penalty for damaging works, diverting water, etc. - - - „ s.222.

Fouling of water by carrying on offensive trade; entry of premises and examination of pipes, etc. - - - - - „ ss.225,226.

Penalty for fouling drinking water - - - - - „ s.228.

Control over private tanks, etc., used for drinking purposes - - „ ss. 230to232(am. Mad.Act2,1892, ss.43,44).

Laying of water-pipes and gas-pipes - - - - - „ ss.250,251.

Alteration of position of water-pipes, gas-pipes, etc. - - - „ s.252.

Construction or restoration of well; powers of President - - „ ss.265to269(am. Mad.Act2,1892, ss.48to52).

Powers to make bye-laws as to use of public tanks, etc. - - „ s.413(*e*).

(j) Food and Drink.

Licensing of bake-houses and manufactories of ice or ærated water; appeal; entry and inspection - - - - - „ s.343(am.Mad. Act2,1892,s.65), ss.342,344.

Public market; definition - - - - - - - „ s.351.

„ „ Municipal Fund applicable to construction, etc., of - „ s.33(*b*)(2).

„ „ power to provide markets and charge rents, tolls and fees; recovery of rents, etc. - - - „ ss.352,353.

„ „ acquisition or appropriation of land for building of shops, etc.; roads and approaches; power to make bye-laws - - - - - - „ s.354.

„ „ expulsion of person disobeying bye-law - - „ s.355.

„ „ power to sell, let or close - - - - „ ss.356,357.

„ „ penalty for selling in, without permission - - „ s.358.

Private market not to be opened without sanction; penalties - „ ss.359,360.

„ „ licensing of; penalties - - - - „ ss.361,362(am. Mad.Act7,1884. s.24),363.

MUNICIPALITY—*cont.*

XIII.—CITY OF MADRAS—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*j*) *Food and Drink*—cont.

Private market; regulation of; power to close; penalties		Mad. Act 1, 1884, ss. 364 (am. Mad. Act 2, 1892, s. 67), 365.
Latrines and urinals for market	,,	s. 282.
Power to enter and inspect place used for sale or storage of articles of food or drink; detention and disposal of articles unfit for human consumption; compensation	,,	s. 367.
,, make bye-laws for inspection, management, etc., of bake-houses, markets and shops	,,	s. 413(*g*) to (*i*).

See also above, (*g*).

(*k*) *Vaccination.*

Municipal Fund applicable to vaccination and to training and supervision of vaccinators	,,	s. 33(*b*)(*l*).
Power to declare vaccination compulsory; no penalty for non-vaccination if person has had small-pox	,,	s. 378.
,, make bye-laws	,,	s. 413(*k*).

(*l*) *Restraint of Infection.*

Power to appoint Special Sanitary Officer; his salary and powers of entry and inspection	,,	ss. 41 to 43 (am. Mad. Act 2, 1892, s. 20).
Medical practitioners to report cases of epidemic, endemic or dangerous infectious disease	,,	s. 368.
Power to enter dwelling-place to prevent spread of disease	,,	s. 369.
,, provide and maintain carriages for free conveyance of patients	,,	s. 370.
Removal of patients to hospital	,,	s. 371.
Cleansing or disinfection of building or articles	,,	s. 372.
Provision of places for disinfection or washing of clothing, etc.; disinfection free of charge; destruction of articles; compensation	,,	s. 373.
Penalty for transmission, etc., of infected article without previous disinfection	,,	s. 374.
Carriage of infected persons in public conveyance; disinfection of conveyance	,,	ss. 375, 376.
Penalty for letting infected house or room	,,	s. 377.
Power to make bye-laws	,,	s. 413(*j*).

(*m*) *Disposal of the Dead.*

Burial and Burning grounds:		
Municipal Fund applicable to regulation, etc., of	,,	s. 33(*b*)(*f*).
Registration of	,,	ss. 379 to 381.
Licensing of	,,	ss. 383, 384.
Closing of	,,	ss. 380, 388.
Penalty for using unregistered, unlicensed or closed ground	,,	ss. 382, 385, 389.
Provision of, by Commissioners; application of Act to grounds provided outside municipality	,,	ss. 392, 393.
Notice of burials and cremations	,,	s. 386.
Licensing of grave-diggers and other attendants	,,	s. 391.

MUNICIPALITY—*cont.*

XIII.—CITY OF MADRAS—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*m*) *Disposal of the Dead*—cont.

Burial in place of public worship	Mad. Act 1, 1884,	section 387.
Penalty for certain acts in connection with	„	s.390.
Power to make bye-laws	„	s.413(*l*).

(*n*) *Offensive and Dangerous Trades.*

Municipal Fund applicable to control, supervision, etc., of dangerous trades, and regulation and control of offensive trades	„	s.33(*a*),(*b*)(*4*).
Licensing of places for carrying on; appeal; entry and inspection	„	ss.332,333(am. Mad. Act 2, 1892, s.63), 338,339,342, 344.
Smoke-producing or dangerous machinery or steam-boiler not to be erected without sanction of President; height and dimensions of chimneys connected with steam-boilers; appeal	„	s.334.
License for importation of timber or firewood; refund of part of license-fee on re-export; entry and inspection	„	ss.341(am. Mad. Act 2, 1892, s.64) 344
Fouling of water by carrying on offensive trade; entry of premises and examination of pipes, etc.	„	ss.225,226.
Power to make bye-laws for inspection, management, etc., of places used for carrying on	„	s.413 (*g*)

(*o*) *Prevention and Extinction of Fire.*

Roof, wall, etc., not to be made of inflammable materials without permission of President	„	s.264.
Licensing of gunpowder or firework manufactories and places for storage of explosive or combustible materials; entry and inspection	„	ss.332,333(am. Mad. Act 2, 1892, s.63), 344.
Licensing of places for storage of wood, firewood, thatching-materials, hay, grass, straw or coal; appeal; directions for prevention of fire; entry and inspection	„	ss.338 to 340, 342, 344.
Power to make bye-laws for inspection, management, etc., of such places	„	s.413(*g*).
Municipal Fund applicable to extinction of fires	„	s.33(*a*).
Expenses incurred by police for extinction of fire to be paid by Municipal Commissioners	Mad. Act 3, 1888,	s.62.

(*p*) *Hackney-carriages, Hack-stables, Horse-lines, Cart-stands, Cattle-yards, etc.*

Carriage of infected persons in public conveyances; disinfection of conveyance	Mad. Act 1, 1884,	ss.375,376.
Licensing of livery or hack-stables, horse-lines, veterinary infirmaries, cart-stands, cattle-sheds, cattle-yards, etc.; appeal; entry and inspection	„	ss.335,342,344.
Latrines and urinals for such places	„	s.282.
Power to make bye-laws for inspection, management, etc., of such places	„	s.413(*g*).

MUNICIPALITY—*cont.*

XIII.—CITY OF MADRAS—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*q*) *Entry and Inspection.*

General power to enter and inspect places and demand information	Mad. Act 1, 1884,	ss.452 to 454.
Power of entry for discovery of vehicles or animals liable to tax	,,	s.159.
Inspection of drains, latrines, etc.; opening of ground; payment of expenses	,,	s.278.
Entry and inspection of—		
places for carrying on offensive or dangerous trade	,,	s.344.
places used without authority for slaughter or for sale of meat	,,	s.349.
Power to make bye-laws for inspection of places used for carrying on offensive or dangerous trades, etc.	,,	s.413(*g*).
Power to enter unoccupied building or land to make survey or inspection or to execute work	,,	s.429.
Notice of entry when to be given	,,	s.429.
Power to enter lands adjacent to works; compensation; notice of entry	,,	s.430.
Precautions to be observed in entering building occupied by woman	,,	s.451.

See also above, (*b*), (*i*), (*j*), (*l*).

(*r*) *Taking of Census and Registration of Births and Deaths.*

Municipal Fund applicable to	,,	s.33(*b*)(*l*).
Power to make bye-laws as to	,,	s.413(*m*).
Taking of Census:		
Enumeration to be made; procedure; penalties	,,	ss.405 to 412.
Registration of Births and Deaths:		
Register to be kept and registrars appointed	,,	s.394.
Registrar to reside in his district, and to post his name; list of registrars to be published	,,	s.395.
Register-books to be printed	,,	s.396, Schs L, M.
Registrar to inform himself of, and register, all births and deaths	,,	s.397, Schs. L, M.
Information of births and deaths by whom to be given	,,	ss.398 to 402, Sch. M.
Signing of register; extracts from register	,,	s.403.
Small sum may be given to informant	,,	s.404.

(*s*) *Miscellaneous.*

Municipal Fund applicable to—		
construction, repair and maintenance of *hospitals and dispensaries*	,,	s.33(*b*),(*c*) [am. Mad. Act 7, 1884, s.3], (*d*),(*e*),(*f*) [ad. Mad. Act 2, 1892, s.13].
training of medical practitioners and subordinates		
construction, etc., of parks and gardens		
sanitary measures		
construction and repair of school-houses for, and elementary instruction of, the poor, and training of teachers		
survey of houses and lands		
contributions towards public ceremonies or entertainments		
all matters necessary for, or conducive to, public health, safety and convenience		

MUNICIPALITY—*cont.*

XIII.—CITY OF MADRAS—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*s*) *Miscellaneous*—cont.

Provision of offices; box for petitions - - - - Mad.Act1,1884,sec.62(am. Mad.Act2,1892, s.31).
Laying of gas-pipes; alteration of position of gas-pipes, etc. - - „ ss.250to252.
Commissioners to provide ways, water-courses, drains and channels in place of those interrupted by execution of works - - - „ s.303.
Fishing; power to prohibit - - - - - - - „ s.330.
Penalty for removing earth, etc., from, depositing matter on, or making encroachment on, river, canal, etc. - - - „ s.331.
Pigs; penalty for keeping them so as to create a nuisance; entry and inspection - - - - - - - „ ss.336,344.
„ power to make bye-laws for inspection, etc., of places used for keeping - - - - - - - - „ s.413(*g*).
„ straying; destruction of - - - - - - „ s.337.
Penalty for drying skin so as to cause nuisance - - - „ s.348
„ for feeding animal with filth - - - - - - „ s.350.
Weights, scales and measures: provision of standards, and prevention of use of false weights, etc., in public market - - - „ s.354(*b*).
Nuisance, public; power to direct prosecution for - - - „ s.445.
„ prosecutions and actions under other laws not affected - „ s.455.
„ Municipal Fund applicable to abatement of - - „ s.33(*b*)(*3*).
„ ss. 133 to 144 of Code of Criminal Procedure, 1882, extended to municipality - - - - Mad.Act7,1884,s.29.

7. Supplemental.

Rules; power to make - - - - - - Mad. Act1,1884, secs.11,47 (am.Mad.Act. 2,1892,s.24), 48,81.
„ sanctioning of - - - - - - - „ s.81
Bye-laws; power to make - - - - - - „ ss.61(*k*),171,354, 413.
„ penalty for breach of - - - - - - „ s.432.
„ publication of, in draft - - - - - - „ s.415(am.Mad Act7,1884, s.25).
„ confirmation and publication of - - - - „ ss.414,416.
„ copies to be kept for sale - - - - - „ s.418.
Notices and other documents; service of - - - - „ ss.207,422,423.
Notice; penalty for defacing, etc. - - - - - „ s.432.
Execution of work by President in default of owner or occupier; recovery of expenses; saving of contracts - - - - „ ss.424to426.
Limitation on liability of occupier - - - - - „ s.426.
Occupier may execute work in default of owner - - - „ s.427.
Deduction from rent of amount paid by occupier for owner; saving of contracts - - - - - - - - „ ss.423,425to 427.
Procedure where occupier prevents owner from carrying Act into execution - - - - - - - - - „ s.428.

MUNICIPALITY—*cont.*

XIII.—CITY OF MADRAS—*cont.*

7. Supplemental—*cont.*

Compensation; power of Commissioners to pay - - - Mad.Act1,1884,section436.
„ for damage to property of Commissioners - - „ s.447.
Fees for licenses, permissions, etc.; charging and recovery of - - „ s.420(am.Mad. Act2,1892, s.68).
Rent for occupation of ground; charging and recovery of - - „ s.421.
Recovery of sums due to Commissioners - - - - „ s.437.
Determination, apportionment and recovery of costs, damages, compensation, charges or expenses - - - - - „ ss.438to442.
Penalty for obstructing Commissioners, etc., or removing mark - „ s.431.
Prosecutions; power to direct; payment of costs - - - „ s.445.
„ limitation of - - - - - - „ s.446.
„ Magistrate before whom to be instituted - - „ s.448.
Publication of penalties - - - - - - „ s.419.
Fines; recovery of - - - - - - „ s.449.
„ application of; rewards to informers - - - „ s.450.
Suit against Commissioners to compel them to carry out work or perform duty - - - - - - - - „ s.458.
Vacancies and irregularities not to invalidate proceedings - - „ ss.6,67(am.Mad. Act2,1892,ss.4, 32),ss.208,441.

XIV.—PUNJAB.

A.—MUNICIPALITIES PROPER.

1. Preliminary.

Definitions - - - - - - - - - Act20,1891,ss.3,42(2),91, 100(4),114, 210(2).

2. Constitution and Government.

(*a*) *Constitution of Municipalities.*

Procedure for constituting municipality - - - - „ s.4.
Power to divide municipalities into wards, etc. - - - „ s.184(*b*).
„ to alter municipal limits; consequences to ensue on alteration „ ss.194to197.
„ to direct that municipality be transferred from one class to another - - - - - - - - „ s.198.
„ to except municipality from provisions of Act unsuited thereto, or to withdraw municipality altogether from operation of Act; consequences to ensue on exercise of power - „ ss.199,200.
District Boards and Local Boards not to have authority in municipality Act20,1883,section 10(3).

(*b*) *Constitution of Municipal Committees.*

Appointment or election of members - - - - Act20,1891,ss.5,41,184(1).
Corruption or intimidation at election - - - - „ s.184(2).
Term of office of members - - - - - - „ ss.6to9,12(3), 184(*h*).
Resignation or removal of members - - - - - „ ss.10,11,41.
Filling of casual vacancies - - - - - - „ ss.12,41.
Incorporation of Committee - - - - - - „ s.13.

MUNICIPALITY—*cont.*

XIV.—PUNJAB—*cont.*

A.—MUNICIPALITIES PROPER—*cont.*

2. Constitution and Government—*cont.*

(*b*) *Constitution of Municipal Committees*—cont.

Member deemed to be "Municipal Commissioner"		Act 20, 1891, section 14
President and Vice-President; election or appointment of		,, s.15.
,, ,, ,,	term of office of	,, ss.15(*4*),16, 17(*2*),25(*i*), 184(*h*).
,, ,, ,,	filling of casual vacancies in office of	,, s.17.
Notification of elections and appointments		,, s.18.

(*c*) *Conduct of Business.*

Time for holding meetings	,,	ss.19,25(*a*).
Ordinary and special meetings	,,	s.20.
Quorum	,,	ss.21,25(*c*).
Who to be Chairman of meetings	,,	s.22.
Vote of majority ordinarily decisive; Chairman has casting vote	,,	s.23.
Record, signature and publication of proceedings; proceedings to be kept open to inspection; copy of resolutions to be sent to Deputy Commissioner	,,	s.24.
Language (English or vernacular)	,,	s.184(*v*).
Making and publishing of bye-laws as to conduct of business	,,	ss.25,41.
Power of Local Government to make rules as to conduct of business	,,	s.184.
Extraordinary powers of President and Vice-President in case of emergency	,,	s.26.
Joint Committees: appointment of, by Municipal Committee and District Board or Cantonment Authority or another Municipal Committee; delegation of powers to, and framing of regulations for		Act 20, 1883, section 24. Act 20, 1891, section 27.

(*d*) *Officers and Servants.*

Appointment, remuneration and removal of Secretary	,,	s.29.
,, ,, ,, other officers and servants	,,	ss.30,184(*i*).
Dismissal of Government officials employed continuously from 15th September, 1884	,,	s.31.
Power to make bye-laws as to appointment, duties, leave, suspension and removal	,,	s.25(*h*).
Power to make rules as to procedure for punishment or dismissal of servants	,,	s.184(*n*).
Power of Commissioner of Division to prevent extravagance in establishments	,,	s.32.
Pensions, gratuities and leave-allowances	,,	ss.33,34.
Sweepers to receive or give one month's notice before discharge or resignation; penalty for resignation or absence from duty without notice; power to apply these provisions to other servants	,,	s.203.

(*e*) *General Powers of Official Control.*

Copy of resolutions of Committee to be sent to Deputy Commissioner	,,	s.24(*2*).

MUNICIPALITY—*cont.*

XIV.—PUNJAB—*cont.*

A.—MUNICIPALITIES PROPER—*cont.*

2. Constitution and Government—*cont.*

(*e*) *General Powers of Official Control*—cont.

Periodical reports to be submitted by Committee to Deputy Commissioner or other officer	Act 20, 1891,	section 176(*2*).
Commissioner; power of, to prevent extravagance in establishments	„	s.32.
Commissioner or Deputy Commissioner; general powers of control exerciseable by	„	s.176(*1*).
„ „ „ power of, to suspend action of Committee or Joint Committee	„	s.177.
„ „ „ power of, to provide for performance of duties in case of default of Committee	„	s.179.
Deputy Commissioner; extraordinary power of, in case of emergency	„	s.178.
Action under s. 177, 178 or 179 to be reported to Local Government; its powers	„	s.180.
Local Government, Commissioners and Deputy Commissioners to require that proceedings of Committees shall be in conformity with law	„	ss.181,184(*u*).
Power of Local Government—		
to supersede Committee in case of incompetency, persistent default or abuse of powers; consequences to ensue on supersession	„	s.182.
to frame forms and make rules	„	s.184.
General powers of Local Government over Commissioners and Deputy Commissioners and of Commissioners over Deputy Commissioners	„	s.185.
Settlement of disputes between Committees or between Committee and District Board or Cantonment Authority	Act 20, 1883, Act 20, 1891,	section 54. section 183.

(*f*) *Miscellaneous.*

Delegation to Commissioner of powers and functions of Local Government under ss. 5 (*3*), 10, 12 and 25 (*2*)	„	s.41.
Power of Local Government to make rules	„	s.184.

3. Taxation.

Taxes which may be imposed	„	s.42, Sch., ss. 43,44.
Procedure in imposing taxes	„	s.45.
Compounding for tolls	„	s.42(*1*), prov.
Power to abolish or reduce tax	„	s.46.
„ to exempt persons or property from taxation	„	s.47.
„ for Local Government to suspend levy of tax	„	s.48.
Remission of tax on unoccupied immoveable property	„	s.62.
Taxes not invalid for defect of form	„	s.49.
„ when payable	„	s.50.
„ receipts to be given for	„	s.51.
Appeals against taxation; limitation	„	ss.52,53,54.
Duty of furnishing true information regarding liability to taxation; penalty	„	s.55.

MUNICIPALITY—*cont.*

XIV.—PUNJAB—*cont.*

A.—MUNICIPALITIES PROPER—*cont.*

3. Taxation—*cont.*

Assessment and recovery of taxes on immoveable property	Act 20, 1891,	ss.55to64.
Power to make bye-laws as to assessment and collection of taxes and as to fees payable in respect of notices of demand	„	s.143(*s*).
Recovery of taxes by distress and sale	„	s.201.
„ „ by process for recovery of arrears of land-revenue	„	s.64(3).
Power of entry for discovery of animals liable to taxation	„	s.109.
Octroi; search for and examination of articles liable to	„	ss.65,66.
„ presentation of bill for	„	s.67.
„ penalty for evasion of	„	s.70.
„ power to make bye-laws as to	„	ss.143(*f*), (*g*) (*2*).
„ „ collect, in adjoining cantonment, under agreement with Cantonment Authority	„	s.143(3).
„ and tolls; seizure and sale of property for recovery of	„	s.68.
„ „ leasing of	„	s.69.
„ „ exhibition of tables of	„	143(*g*),(*h*).
Simla: land, house and frontage taxes imposed in, validated	„	ss.208,209.

4. Municipal Fund and Property.

Municipal Fund; constitution of	„	s.71.
„ „ power of Local Government to direct crediting to Municipal Fund of net proceeds of local rate levied in municipality under the Punjab District Boards Act, 1883	Act 20, 1883,	section 9.
„ „ application of	Act20,1891,ss.26,72,178,	179.
„ „ sanction of Local Government required to payment of salary to President out of	„	s.73.
„ „ authority on which money may be paid from	„	s.184(*k*).
„ „ custody and investment of	„	ss.74,75.
„ „ compensation when payable out of	„	s.149.
„ „ power to make rules as to accounts and estimates	„	s.184(*r*),(*s*).
Municipal property; what property vested in Committee	„	s.76.
„ „ management of certain public institutions vested in Committee; property, endowments and funds belonging thereto to be held by Committee in trust	„	s.77.
„ „ transfer of, to Crown	„	s.78.
„ „ conditions on transfer of, by sale, mortgage, lease, etc.	„	s.184(*o*).
„ „ acquisition of land for Committee	„	ss.40,85,91(*1*). 92(*1*).
„ „ collections from house-scavenging to vest in Committee	„	s.117.
Transfer of public ferry to Municipal Committee	Act 17, 1878,	section 7.
Allotment for benefit of area excluded from municipality	Act 20, 1891,	section 196.
Disposal of, when municipal area withdrawn from operation of Act	„	s.200.

MUNICIPALITY—*cont.*

XIV.—PUNJAB—*cont.*

A.—MUNICIPALITIES PROPER—*cont.*

4. Municipal Fund and Property—*cont.*

Contract; procedure for entering into	Act 20, 1891, section 95.
„ or transfer of property; mode of executing	„ s.36.
„ penalty on member, officer or servant of Committee being interested in contract made with Committee	„ s.37.
Notice of suit against Committee or officer or servant thereof	„ s.38.
S. 38 of Act 20, 1891, not to apply to suit cognizable by Revenue Court	Act 16, 1887, section 94.
Liability of member of Committee for loss, waste or misapplication of money or property	Act 20, 1891, section 39.

5. Police.

Committee to maintain police establishment	„ s.79(*1*).
Pay, leave-allowances, gratuities and pensions of police-establishment	„ s.79(*2*).
Local Government may relieve Committee from police-charges, and must then maintain police-establishment	„ s.80.
Police to consist of body of watchmen or of part of general police force	„ ss.79(*2*),80(*2*).
Government, appointment, promotion, punishment, duties, powers and responsibilities of watchmen	„ ss.81(*1*),184(*l*).
Arrest without warrant of person obstructing watchman	„ s.81(*2*).
Duties of police consisting of part of general police force	„ s.82.
Police to report offences and to assist members, officers and servants of Committee	„ s.83(*1*).
Arrest by police; detention of person arrested	„ s.83(*2*),(*3*).
Provision by Local Government of police protection at fairs, etc.	„ s.84.
Powers of police for suppression of fire	„ s.173.

6. The Public Health, Safety and Convenience.

(*a*) *Streets and Public Places.*
(*b*) *Buildings.*
(*c*) *Dangerous Buildings, etc.*
(*d*) *Buildings and Grounds in Insanitary Condition, etc.*
(*e*) *Deposit and Removal of Rubbish and Offensive Matter.*
(*f*) *Drains, Latrines and other Receptacles for Filth.*
(*g*) *House-scavenging.*
(*h*) *Slaughter-places.*
(*i*) *Bathing and Washing Places.*
(*j*) *Water-supply.*
(*k*) *Food, Drink and Drugs.*
(*l*) *Restraint of Infection.*
(*m*) *Disposal of the Dead.*
(*n*) *Offensive and Dangerous Trades.*
(*o*) *Prevention and Extinction of Fire.*
(*p*) *Dangerous Animals.*
(*q*) *Hackney-carriages, Boats, Job-horses, Porters, etc.*
(*r*) *Entry and Inspection.*
(*s*) *Taking of Census and Registration of Births, Marriages and Deaths.*
(*t*) *Miscellaneous.*

Streets and Public Places.

Municipal Fund applicable to construction, maintenance, improvement, cleansing and repair of public streets, bridges and embankments and watering and lighting of public streets	Act20,1891,s.72(2).

MUNICIPALITY—*cont.*

XIV.—PUNJAB—*cont.*

A.—MUNICIPALITIES PROPER—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*a*) *Streets and Public Places*—cont.

Acquisition of land for building-sites adjoining new streets	Act 20, 1891,	section 85.
Naming of streets; penalty for defacing, etc., name	,,	s.89.
General power to close street	,,	s.86.
Power to close street in suppressing fire	,,	s.173(*b*).
,, permit temporary occupation of street or land, and charge fees therefor	,,	s.87.
Troughs and pipes for carrying water from buildings	,,	s.121.
Cutting or trimming of hedges bordering on or branches overhanging street	,,	s.130.
Penalty for driving vehicle in street without proper lights	,,	s.159.
,, unlawfully— encroaching on street; altering materials, fences or posts of street; depositing building materials or making excavation in street; removing material from beneath street	,,	s.164.
picketing animals or collecting carts on public ground, using public ground as halting place or encampment, or permitting animals to stray	,,	s.166.
disturbing direction-post or lamp-post, or extinguishing light, in public place	,,	s.168.

See also below, (*p*),(*t*).

(*b*) *Buildings.*

Notice of new building; powers of Committee as to construction; compensation; appeal	,,	ss.92,94,150.
Power to make bye-laws as to mode of construction of buildings	,,	ss.93,94.
,, prevent use of inflammable materials in roof or external wall	,,	s.90.
Regulation of line of buildings; compensation	,,	s.91.
Removal of projection or encroachment from building; compensation	,,	s.95(*1*),(*2*).
Permission to put up projecting verandahs, etc.	,,	s.95(*3*).
Attaching to buildings brackets for lamps	,,	s.88.
Numbering of buildings; penalty for defacing, etc., number	,,	s.89.
Unauthorised building over sewer, drain, culvert, water-course or water-pipe vested in Committee	,,	s.124.
Penalty for building dangerously	,,	s.165.

See also below, (*c*), (*d*), (*g*), (*r*).

(*c*) *Dangerous Buildings, etc.*

Repair, protection or enclosing of dangerous building, well, tank, reservoir, pool, depression or excavation	,,	s.127.
Removal or repair of ruinous or dangerous building, wall, structure, bank or tree	,,	s.128.

See also below, (*t*).

MUNICIPALITY—*cont.*

XIV.—PUNJAB—*cont.*

A.—MUNICIPALITIES PROPER—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*d*) *Buildings and Grounds in Insanitary Condition, etc.*

Cleansing of building for sanitary reasons	Act 20, 1891,	section 107.
„ filthy building or land	„	s.131.
Clearing away noxious vegetation or undergrowth	„	s.129.
Cutting or trimming of hedges bordering on street or branches overhanging street or source of public water-supply	„	s.130.
Power to prohibit use for human habitation of building unfit for such use; appeal	„	ss.132,150.
Prohibition or regulation of cultivation, use of manure or irrigation injurious to health; compensation; penalty	„	s.134.
Securing or enclosing of untenanted building or land becoming a nuisance	„	s.133.

(*e*) *Deposit and Removal of Rubbish and Offensive Matter.*

Places for deposit, and directions for removal	„	s.97.
Disposal of dead bodies of animals; penalty	„	s.100.
Penalty for keeping offensive matter more than 24 hours or not in proper receptacle	„	s.154.

(*f*) *Drains, Latrines and other Receptacles for Filth.*

Municipal Fund applicable to construction, etc., of public drains and latrines	„	s.72(2).
Removal or provision of drain, privy, cesspool or other receptacle; provision of drainage connection	„	s.122(*1*).
Provision and maintenance of latrines and urinals for workmen	„	s.122(*2*).
Shutting out of privy from view, etc.	„	s.122(*3*).
Repair or closing of drain, privy or cesspool	„	s.123.
Removal or closing of drain, latrine, urinal, cesspool or other receptacle near source of public water-supply; penalty	„	ss.125,156.
Penalty for unlawfully making or altering drain leading into public sewer or drain	„	s.155.
„ unlawfully encroaching on sewer or drain	„	s.164.
„ not keeping offensive matter in proper receptacle, or for suffering receptacle to be in filthy or noxious state or not cleansing same	„	s.154.
Unauthorised building over sewer or drain vested in Committee	„	s.124.

See also below, (*r*), (*t*).

(*g*) *House-scavenging.*

Definition	„	s.111.
Undertaking by Committee of house-scavenging generally; exclusion of houses on application of occupier; saving of rights of customary sweepers and of agriculturists	„	ss.112,113.
Continuance of house-scavenging once undertaken by Committee	„	ss.114,115.
Powers of municipal servants	„	s.116.
Collections to belong to Committee	„	s.117.

MUNICIPALITY—*cont.*

XIV.—PUNJAB—*cont.*

A.—MUNICIPALITIES PROPER—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*g*) *House-scavenging*—cont.

Punishment of customary sweepers and of agriculturists for negligence; appeal	Act 20, 1891, sections	118, 119, 151.

(*h*) *Slaughter-places.*

Places for slaughter of animals for sale; penalty for slaughtering elsewhere	"	s.98.
Places for slaughter of animals for purposes other than sale; exception as to slaughter for religious purposes	"	s.99.
Inspection and regulation of slaughter-houses	"	s.143(*e*).
See also below, (*k*).		

(*i*) *Bathing and Washing Places.*

Establishment and regulation of	"	s.96.
Inspection and regulation of dhobies' ghats	"	s.143(*e*).

(*j*) *Water-supply.*

Municipal Fund applicable to construction, etc., of public tanks and water-courses, and supply, storage and preservation of water	"	s.72(*2*).
Unauthorised building over water-course or water-pipe vested in Committee	"	s.124.
Penalty for unlawfully encroaching on water-course	"	s.164.
Removal or closing of drain, latrine, etc., near source of public water-supply; penalty	"	ss.125, 156.
Cleansing, repairing, covering, filling-up or draining-off of private well, tank, reservoir, pool, depression or excavation injurious to health or offensive; compensation	"	s.126.
Repair, protection or enclosing of dangerous well, tank, reservoir, etc.	"	s.127.
Cutting or trimming of branches overhanging source of public water-supply	"	s.130.
Prohibition of use of unwholesome water for drinking purposes	"	ss.141, 142.
Supervision and regulation of sources of public water-supply	"	s.143(*c*).
Power to shut off mains and pipes to secure greater pressure of water in case of fire	"	s.173(*d*).

(*k*) *Food, Drink and Drugs.*

Municipal Fund applicable to construction, etc., of markets	"	s.72(*2*).
Power to—		
inspect market or other place used for sale of food or drink for man, or as a slaughter-house or for the sale of drugs	"	s.110.
seize or destroy, etc., article or animal unfit for human consumption, and		
remove noxious or adulterated drug, and bring owner before Magistrate		

MUNICIPALITY—*cont.*

XIV.—PUNJAB—*cont.*

A.—MUNICIPALITIES PROPER—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*k*) *Food, Drink and Drugs*—cont.

Power to make bye-laws for—		
regulating manufacture, preparation, transport and sale of food or drink	Act 20,1891,	s.137(am.Act 18,1896,s.1).
regulating sale and importation for sale of milk and butter	Act 20,1891,	s.137(am.Act 18,1896,s.1).
inspection and regulation of markets and flour-mills	„	s.143(*e*).
controlling and regulating admission of flesh of cattle, etc., slaughtered outside municipality	„	s.143(*k*).
Penalty for selling article of food or drink of a nature different from the article demanded	„	s.137A(ad.Act 18,1896,s.2).
„ feeding dairy or slaughter animals on deleterious substance	„	s.158.
Seizure and disposal of flesh of cattle, etc., unlawfully brought into municipality	„	s.171.

See also below, (*r*).

(*l*) *Restraint of Infection.*

Cholera or small-pox; information to be given of; penalty	„	s.139.
„ „ removal of patient to hospital	„	ss.140,142.
Notices and precautions in case of infectious disease in lodging-house	„	s.143(*d*).
Prohibition of use of unwholesome water for drinking purposes	„	ss.141,142.

(*m*) *Disposal of the Dead.*

Power of Committee to close existing burial or burning place	„	s.101(*1*),(*2*).
Permission of Committee required to forming of new burial or burning place	„	s.101(*3*).
Appeal from order under s. 101	„	s.150.
Penalty for burying or burning corpse in place closed or place formed without permission	„	s.101(*4*).
Control and regulation of use and management of burial and burning places	„	s.143(*e*).
Routes for removal of corpses	„	s.102.
Penalty for carrying corpse along prohibited route or so as to cause annoyance to public	„	s.167.

(*n*) *Offensive and Dangerous Trades.*

Regulation or prohibition of; penalty; appeal	„	ss.135,136, 150.

(*o*) *Prevention and Extinction of Fire.*

Power to prohibit—		
use of inflammable materials in roof or external wall	„	s.90.
stacking or collecting of wood, dry grass, straw, or other inflammable materials, or placing of mats or thatched huts, or lighting of fires in any place	„	s.103.

MUNICIPALITY—*cont.*

XIV.—PUNJAB—*cont.*

A.—MUNICIPALITIES PROPER—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*o*) *Prevention and Extinction of Fire*—cont.

Power to prohibit—*cont.*
lighting of fires in top storey, or placing of stands for lights in dangerous position - - - - - - - } Act 20, 1891, section 104.
storage of explosives, petroleum, spirit, naphtha or other inflammable material - - - - - - - } „ s.105.
Power to regulate or prohibit trading in hay, straw, thatching-grass, wood, coal or other dangerously inflammable material, or storing of explosive, petroleum or any inflammable oil or spirit; penalty; appeal - - - - - - - - - } „ ss.135,136, 150.
Establishment and maintenance of fire-brigade - - - „ s.172.
Powers of members of fire-brigade and other persons for suppression of fire; such powers subject to restrictions, etc., imposed by rule - - - - - - - - - } „ ss.173,174.
Ss. 172 to 174 not to take effect till specially extended by Local Government - - - - - - - - } „ s.175.
Power to make rules as to formation and working of fire-brigades - „ s.184(*m*).
See also below, (*r*).

(*p*) *Dangerous Animals.*

Destruction or confinement of mad dogs - - - - - „ s.138.
Penalty for allowing dangerous dog to be at large unmuzzled in street - - - - - - - } „ s.163.
„ „ not removing elephant, camel or bear on approach of horse - - - - - - - } „ s.161.
„ „ unlawfully taking elephant along street - - „ s.162.

(*q*) *Hackney-carriages, Boats, Job-horses, Porters, etc.*

Power to—
render licenses necessary for vehicles, boats or animals kept or plying for hire - - - - - - - } „ s.143(*a*).
limit rates for hire of carriages, carts, boats or other conveyances, or of animals hired to carry loads, or for services of porters - } „ s.143(*b*).
limit loads to be carried by such conveyances, animals or porters }
Saving for vehicles to which Hackney-carriage Act, 1879, applies - „ s.143,prov.

(*r*) *Entry and Inspection.*

Power to enter building or land and inspect drains, privies or cesspools; opening of ground to prevent or remove nuisance; notice of entry; payment of expenses - } „ s.106.
„ enter building and direct cleansing for sanitary reasons; notice of entry - - - - - - } „ s.107.
„ enter building or land for making survey or valuation, for examining works under construction, for ascertaining course of sewers or drains, or for executing or repairing work; notice of entry - - - - } „ s.108.
„ enter for discovery of vehicles or animals liable to taxation „ s.109.

MUNICIPALITY—*cont.*

XIV.—PUNJAB—*cont.*

A.—MUNICIPALITIES PROPER—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*r*) *Entry and Inspection*—cont.

Power to enter and inspect building containing petroleum, explosive or other inflammable material; seizure and disposal of excess quantities; appeal	Act 20, 1891,	ss.120,151.
Inspection of lodging-houses	„	s.143(*d*).
„ encamping-grounds, pounds, sarais, markets, dhobies' ghats, flour-mills and slaughter-houses	„	s.143(*e*).
Precautions to be observed in entering dwelling	„	s.202.

See also above, (*k*).

(*s*) *Taking of Census and Registration of Births, Marriages and Deaths.*

Municipal Fund applicable to	„	s.72(2).
Power to make bye-laws for	„	s.143(*c*).

(*t*) *Miscellaneous.*

Municipal Fund applicable to—		
payment of expenses of pauper lunatics	„	s.72(*l*).
„ portion of cost of public expenditure		
construction, etc., of schools, hospitals, dispensaries, rest-houses, sarais, poor-houses, encamping-grounds, pounds and other works of public utility	„	s.72(2).
grants-in-aid to schools, dispensaries, poor-houses, leper asylums etc.		
training of teachers and establishment of scholarships		
relief and relief-works in time of famine or scarcity		
planting and preservation of trees		
public vaccination		
sanitary measures		
holding of fairs, etc.		
things likely to promote health, safety, welfare or convenience of inhabitants		
Fairs, etc.; holding of	„	s.143(*d*).
Lodging-houses; regulation of		
Sarais, encamping grounds and pounds; inspection and regulation of	„	s.143(*e*).
Brothels: power to suppress; penalty	„	s.204.
Penalty for unlawfully placing earth, materials or offensive matter on street or place or into public sewer or drain	„	s.152.
„ for unlawfully allowing offensive matter to flow, etc., into street, sewer, drain, etc.	„	s.153.
„ for keeping animals so as to be injurious to health or so as to become a nuisance	„	s.157.
„ for discharging fire-arms or letting-off fire-works or fire-balloons or engaging in dangerous game	„	s.160.
„ for dangerous quarrying, blasting, cutting of timber or building	„	s.165.
„ for not complying with notice or conditions	„	s.169.

MUNICIPALITY—*cont.*

XIV.—PUNJAB—*cont.*

A.—MUNICIPALITIES PROPER—*cont.*

6. The Public Health, Safety and Convenience—*cont.*

(*t*) *Miscellaneous*—cont.

Hilly tracts:
Power to regulate or prohibit—
cutting of trees or shrubs, making excavations, etc. -
any description of traffic in streets - - - -
Power to render licenses necessary—
for using premises as stables or cow-houses - - -
for working as job-porter - - - - -
for animals or carriages let out on hire - - -
for persons impelling such carriages - - -
Power to regulate charges for job-porters, etc., and hire of animals or carriages - - - - - -
} Act 20, 1891, s.144(rep.in pt.Act18, 1896,s.3).

7. Supplemental.

Rules; general power to make - - - - -	„	s.184.
Bye-laws; general power to make - - - - -	„	s.143.
„ penalty for breach of - - - - -	„	s.145.
„ confirmation and publication of - - - -	„	s.146.
Rules and bye-laws to be published in draft - - - -	„	s.189(*1*),(*2*).
„ „ „ to be finally published in Gazette - -	„	ss.3(*8*),189(*3*).
„ „ „ to be available for inspection and purchase -	„	s.190.
Notice to fix reasonable time for doing act; Magistrate to determine whether time fixed is reasonable - - - -	„	ss.147(*1*),169, prov.
„ authentication of - - - - - -	„	s.191(*1*).
„ service of - - - - - - -	„	ss.191,192.
„ when to be served on occupier - - - -	„	ss.147(*2*), 191(*3*).
„ publication of - - - - - -	„	ss.184(*m*),193.
„ not invalid for defect of form - - - -	„	s.191(*5*).
„ when not complied with, Committee may perform act -	„	s.147(*3*).
„ penalty for not complying with - - - -	„	s.169.
Agent; appointment of, by absentee owner of building or land -	„	s.143(*k*).
„ or trustee discharging obligation imposed on owner of immoveable property; relief to - - - -	„	s.205.
Recovery of cost of work executed by Committee in default of owner or occupier; deduction from rent of sum paid by occupier; saving of contracts - - -	„	s.148.
„ moneys claimable by Committee - - -	„	s.201.
Compensation when payable out of Municipal Fund; application of procedure of Land Acquisition Act for settlement of disputes -	„	s.149.
Appeal from orders of Committee; limitation - - -	„	s.150.
„ from order of Magistrate punishing customary sweeper or agriculturist for negligence in respect of house-scavenging - - - - - -	„	s.151.
„ suspension of action pending - - - -	„	s.170.
Prosecutions by whom to be initiated - - - -	„	s.186.
Compounding for offence - - - - - -	„	s.187.

MUNICIPALITY—*cont.*

XIV.—PUNJAB—*cont.*

A.—MUNICIPALITIES PROPER—*cont.*

7. Supplemental—*cont.*

Judge or Magistrate not to be deemed interested in prosecution by reason of being member of Committee — Act 20,1891, section 188.
Decision of question whether persons are "inhabitants" — „ s.206.
Vacancies and irregularities not to invalidate proceedings — „ ss.28,49,191(5).

B.—SMALL TOWNS GOVERNED ON MUNICIPAL LINES.

Power to notify areas, impose taxation and regulate expenditure therein, appoint a Committee and extend Municipal Act with modifications — „ ss.210to214.

MUNSIF.

Appointment, powers, etc., of. *See* CIVIL COURTS; VILLAGE COURTS.

MURDER.

Definitions of. *See* WORDS AND PHRASES.

See also CRIMINAL LAW AND PROCEDURE (ENGLISH); CRIMINAL LAW (INDIAN), 14 (*a*); INFANTICIDE; MURDEROUS OUTRAGES.

MURDEROUS OUTRAGES.

(1) British Baluchistan:

Preamble and ss. 2 to 15 of Act 23, 1867 [*indexed below*, (2)], declared, with modifications, to be in force in British Baluchistan — Reg.1,1890,ss.3,4.

(2) Punjab:

Power to apply Act 23, 1867, to any part of the Punjab — Act23,1867,s.1.
Act 23, 1867, to remain in force until Governor General in Council otherwise directs — Act9,1877,s.11.
Punishment of fanatic committing or attempting murder — Act 23, 1867,section2.
Forfeiture of property of fanatic killed in committing or attempting murder — „ s.4(am.Act9, 1877,s.2).
Trial of offences under Act 23, 1867; modification of Code of Criminal Procedure — „ ss.5to7(am. Act9,1877,s. 2),9,10(am. Act12,1896).
Application of Code of Criminal Procedure in cases not contemplated by Act 23, 1867 — „ s.11.
Power to invest officers with jurisdiction under Act 23, 1867 — „ s.14.
Disposal of bodies of persons sentenced to death under Act 23, 1867 — „ s.8.
Application of Ben. Reg. 3, 1818 (State Prisoners), to persons confined under Act 23, 1867 — „ ss.12,13.
Power of Chief Court to issue circular orders for guidance of officers in cases under Act 23, 1867 — „ s.16.
Power of Local Government to withdraw classes of cases from operation of Act 23, 1867 — „ s.15.

(3) By Mappillas in Malabar District:

Power to declare whole or part of Malabar district to be subject to Act, and power to withdraw such declaration — Act20,1859,ss.2,12.
Act 20, 1859, to continue in force till withdrawn by Local Government — Act7,1869,s.1.

MURDEROUS OUTRAGES—*cont.*
(3) By Mappillas in Malabar District—*cont.*
Forfeiture of property of Mappilla committing, attempting, or abetting murder, or resisting apprehension (in addition to ordinary punishment) - - - - - - Act20,1859,ss.3,4.
Disposal of bodies of offenders sentenced to death, etc. - „ s.5.
Application of law as to State Prisoners to persons confined under Act 20, 1859 - - - - - - „ s.6.
Power of District Magistrate to apprehend and confine persons pending orders under s. 6 - - - - - „ s.7.
Penalty on person conditionally liberated under s. 6 returning to India - - - - - - - „ s. 8.
Levy of compensation and fine from community when offence committed or when offender not surrendered - - „ ss.9,10.
Recovery of fines, etc.; indemnity to Magistrate - - „ s.11.
MURRAY TRUST Act, 1897. (*See* ENDOWMENT, 1) - - - Ben.Act2,1897.
MUSEUM. *See* INDIAN MUSEUM.

MUSIC.
Copyright in musical compositions. *See* COPYRIGHT, 2 (*a*), 5 (*a*).
MUTINY.
Validation of fines, etc., imposed, and acts done, during Mutiny; indemnity to officers - - - - - - Act34,1860.
NAMINGS. *See* REGISTRATION OF BIRTHS, ETC., A, 4.
NAIKWADARI TENURES. *See* LANDLORD AND TENANT, IV, 3.
NATIVE CHRISTIAN defined. *See* WORDS AND PHRASES.
NATIVE COINAGE Act, 1876. (*See* COINAGE) - - - Act9,1876.
NATIVE CONVERTS' MARRIAGE DISSOLUTION Act, 1866. (*See* MATRIMONIAL CAUSES, B) - - - - - Act21,1866.
NATIVE PASSENGER SHIPS Act, 1887. (*See* MERCHANT SHIPPING, 3) - - - - - - - - Act10,1887.
NATIVE STATE defined. *See* WORDS AND PHRASES.
NATIVES OF INDIA.
Definition of. *See* WORDS AND PHRASES.
Privileges of, as to employment, etc. *See* GOVERNMENT OF INDIA, 2 (*d*), 3.
NATURALIZATION Act, 1870. (*See* ALIEN; BRITISH SUBJECT, 2) - 33-4V.c.14.
„ „ 1872. - 35-6V.c.39.
„ „ 1895. - 58-9V.c.43.
„ OATH Act, 1870. - 33-4V.c.102.
NAVAL DESERTERS Act, 1847. [1] (*See* NAVY) - - - 10-1V.c.62.
„ DISCIPLINE Act. - 29-30V.c.109.
„ „ „ 1884. - 47-8V.c.39.
„ FORCES. *See* INDIAN MILITARY AND NAVAL FORCES.
„ PRIZE Act, 1864. (*See* PRIZE) - - - - 27-8V.c.25.

NAVY.
1809. 49 G. 3, c. 126 (Sale, etc., of commissions).
1834. 4-5 W. 4, c.24, ss.21, 25 (Half-pay, etc.).
1847. 10-1 V. c. 6 (Deserters).
1850. 13-4 V. c. 26 (Engagements with Pirates).
1866. 29-30 V. c. 109 (Naval Discipline).
1881. 44-5 V. c. 58, s. 186 (Land Forces).

[1] This short title was given by 59 & 60 Vict. c. 14.

NAVY—*cont.*

1884. 47-8 V. c. 39 (Naval Discipline).
1894. 57-8 V. c. 45, s. 3 (Uniform).
1894. 57-8 V. c. 60, ss. 181, 195 to 197, 557 *to* 564 (Merchant Shipping).

1. Command and Officers.
2. Entry and Service.
3. Discipline.
4. Pay, Pension, Prize Money, etc., and Effects.
5. Miscellaneous.

1. Command and Officers.

Penalties for buying or selling, or negotiating purchase, etc., of commissions - - - - - - - - 49G.3,c.126.

2. Entry and Service.

Liability to serve on fraudulent confession of desertion - - 10-1V.c.62,s.10.
" " on release after arrest. *See below*, 5 (*b*).
Volunteering by merchant seamen - - - - - 57-8V.c.60,ss.195to197.
Enlistment from regular forces. *See* ARMY, 4 (*b*).

3. Discipline.

(*a*) *Persons subject to Discipline.*

Application of naval discipline to—
persons in navy borne on books of ship in commission - - 29-30V.c.109,s.87.
land and auxiliary forces, when embarked on board ship in commission, as directed by Order in Council - - - " s.88. 44-5V.c.58,s.186.
other persons on board, under regulations of Admiralty - - 29-30V.c.109,s 89.
persons borne on books of hired ship in time of war - - " s.90.
Provisions as to discipline of land and auxiliary forces on board ship. *See* ARMY, 4 (*e*).

(*b*) *Duties and Offences.*

Performance of public worship in ships - - - - " s.1.
Misconduct in action or in presence of enemy - - - " ss.2to5,49
Correspondence with or relief of enemy - - - - " ss.7,8,49.
Armed rebels and mutineers, and pirates, deemed enemies - - " s 49.
Penalty on spies - - - - - - - - " ss.6,49.
Desertion of or sleeping on post; neglect of duty - - - " s.9.
Mutiny, and offences connected therewith - - - - " ss.10to15.
Civilian on board ship seducing from allegiance or inciting to mutiny [*see also below*, 5 (*b*)] - - - - - " s.13.
Person subject to military law causing or inciting to mutiny, etc. *See* ARMY, 4 (*b*).
Violence, disobedience, etc., to superior officer - - - - " ss.16,17.
Quarrelling, using reproachful speech, etc. - - - - " s.18.
Desertion, inducing to desert, harbouring deserter from military or naval forces [*see also below*, 5 (*b*)], improperly leaving ship, absence without leave - - - - - - " ss.19to24.
Fraudulent confession of desertion. *See below*, 5 (*b*).
Swearing, drunkenness, scandalous conduct - - - - " s.27.
Cruelty, or scandalous, etc., conduct of officer - - - - " s.28.
Improperly losing ship - - - - - - - " s.29.
Offences as to ships under convoy - - - - - " s.30.
Power to compel obedience by master of ship under convoy - - " s.31.
Taking goods on board, except for use, or specie, jewels, wreck, etc. " s.32.
Wasting or embezzling stores, or permitting waste, etc. - - " s.33.

NAVY—*cont.*

3. **Discipline**—*cont.*

(*b*) *Duties and Offences*—cont.

Burning dockyard, magazine, stores, or ship not belonging to enemy - - - - - - - - - 29-30V.c.109,ss.34,49.
Making or signing false musters or records - - - - - „ s.35.
Producing or feigning disease, etc. - - - - - - „ s.36.
Complaints, how to be made and redressed; penalty for attempting to stir up disturbance - - - - - - „ s.37.
Delivery of papers on prize ship to prize court [*see also* PRIZE, 2 (*c*), (*f*)] - - - - - - - - - „ s.38.
Offences in relation to prize ship or goods, or ship detained under belligerent rights, or piracy, slave trade, or Customs Acts [*see also* PRIZE, 2 (*f*)] - - - - - - - - „ ss.39to42.
Acts to prejudice of order and discipline - - - - - „ s.43.
Homicide, and other offences punishable by ordinary law - - „ s.45.
Offences by civilians, or punishable civilly. *See below*, 5 (*b*).

(*c*) *Loss, etc., of Ship* [*see above*, (*b*), *and below*, (*d*)].

Ship wrecked, lost, destroyed, or taken, deemed to remain in commission till officers and crew transferred or tried - - - - „ s.91.
Continuance of senior officer in command when ship lost; distribution of crew among other ships - - - - - „ s.90.

(*d*) *Trial and Punishment.*

Some offences punishable wherever committed, others only if committed in certain places - - - - - - „ s.46.
Arrest; penalty for not assisting - - - - - - „ ss.50,51.
Apprehension, etc., of suspected deserters. *See below*, 5 (*b*).
Limitation of time for trials - - - - - - - „ s.54.
Trial by court-martial or commanding officer - - - - „ s.56.
„ 47-8V.c.39,ss.1,8.
„ of offences committed by persons borne on books of ship hired in time of war - - - - - - 29-30V.c.109,s.90.
Courts-martial on officers and crew of ship wrecked, lost, destroyed, or taken - - - - - - - „ ss.92,93.
„ for offences subsequent to wreck, etc. - - „ s.94.
„ holding and constitution of - - - - - „ ss.58,90.
„ 47-8Vc.39,s.2.
Place and time of sitting; attendance of members - - - 29-30V.c.109,ss.59,60.
Officiating Judge Advocate - - - - - - - „ s.6.
Objections by prisoner to constitution of Court - - - „ s.61.
Oaths of members and Judge Advocate - - - - - „ ss.63,64.
General orders as to procedure and practice - - - - „ s.65.
Summoning, privilege, etc., of witnesses - - - - - „ ss.61,66.
False evidence - - - - - - - - - „ s.67.
Custody of person found insane at trial - - - - - „ s.68.
Power to find intent with which offence committed - - - „ s.47.
Conviction of less offence on charge of greater - - - „ s.48.
Report of proceedings; right to copies - - - - - „ s.69.
Saving of jurisdiction of ordinary Courts - - - - „ s.101.

NAVY—*cont.*

3. Discipline—*cont.*

(e) Punishments and Prisons.

Scale of punishments; regulations as to infliction and remission	29-30V.c.109,ss.52,53, 55,57.
Punishment of offences, where no express provision	„ s.44.
Corporal punishment; restrictions on and regulations as to infliction of	„ ss.52(*4*),53 (*11*),55.
Commencement of sentence of penal servitude or imprisonment	„ ss.73,74. 47-8V.c.39,s.5.
Imprisonment not to exceed two years	„ s.4.
Execution of sentence of penal servitude	29-30V.c.109,s.72. 47-8V.c.39,s.3.
Imprisonment; removal of prisoners	29-30V.c.109,ss.74to76. 47-8V.c.39,s.5.
Discharge or delivery to naval custody	29-30V.c.109,ss.78,79.
Treatment of prisoner becoming insane	„ s.80.
Naval prisons, appointment and regulation of	„ s.81. 47-8V.c.39,s.6.
„ „ aiding escape from, conveying spirits, tobacco, etc., into, or obstructing officers of	29-30V.c.109,s.82.
Offences by gaolers, etc. [*see also below*, 5 (*b*)]	„ s.83.

4. Pay, Pension, Prize Money, etc., and Effects.

(a) Pay, Pensions, and Allowances.

Continuance of pay of crew of ship wrecked, etc.	„ s.95.
Payment of reward for apprehension of deserter out of wages	10-11V.c.62 s.9.
Half-pay or allowances not affected by Superannuation Acts	4-5W.4,c.24,s.21.
Separate estimates of half-pay and allowances of navy and marines	„ s.25.

(b.) Salvage, Bounty Money, Prize Money.

Salvage by Her Majesty's ships; procedure for adjudication upon claim with consent of Admiralty	57-8V.c.60,ss.557 to 564.
Condemnation of ships, etc., taken from pirates; salvage on property recovered	13-4V.c.26.

Forfeiture of shares. *See below, (c).*

Prize, prize salvage, and prize bounty. *See* PRIZE, **2.**

(c) Forfeiture of Pay, etc.

On desertion, etc.	29-30V.c.109,ss.19,22,23, 52,53.
Of pay, etc., and clothes and effects on illegal absence, where offender not apprehended	„ s.24.
Of pay, etc., for other offences, or on dismissal with disgrace	„ ss.52,53.
Of share of prize or seizure, by offence as to prize, etc. [*see also* PRIZE, **2** (*f*)]	„ ss.38,39,42.

(d) Decorations.

Forfeiture of, on desertion	„ s.19.
„ by sentence of court-martial	„ ss.52(*10*). 53(*8*).

NAVY—*cont.*

4. Pay, Pension, Prize Money, etc., and Effects—*cont.*

(*c*) *Disposal of Money and Effects on Death.*

Disposal of effects of invalided or discharged seaman sent home in merchant ship, and dying on voyage - - - - 57-8V.c.60,s.181.

5. Miscellaneous.

(*a*) *Privileges and Exemptions.*

Restriction on arrest of seaman or marine for debt - - - 29-30V.c.109,ss.97,98.

(*b*) *Civil Liabilities; Duties of and Offences by Civilians.*

Liability to serve, or punishment, on fraudulent confession of desertion by man delivering himself up, or by man serving in other forces or embodied militia, or apprehended for offence [*see also* ARMY, 4 (*b*)] - - - - - 10-1V.c.62,s.10.

Apprehension, etc., of suspected deserters, etc. - - - „ s.9.

Penalty on gaolers, etc., for neglect of duty - - - „ s.12.

Assisting desertion or persuading to desert [*see also above*, 3 (*b*)] 29-30V.c.109,ss.25,26.

Reparation by officer for offence as to ship under convoy; jurisdiction of Admiralty Division - - - - - „ s.30.

Jurisdiction of ordinary Courts not affected by Naval Discipline Act - - - - - - - - - „ s.101.

Bringing contempt on naval uniform - - - - 57-8V.c.45,s.3.

Fraudulent representation on entering navy. *See above*, 2.

Trafficking in commissions. *See above*, 1.

(*c*) *Miscellaneous Provisions.*

Construction and printing of Naval Discipline Act as amended - 47-8V.c.39,s.7.

Confirmation of certain marriages on board H. M.'s ships. *See* MARRIAGE, I, 1 (*b*).

Naval Courts under Merchant Shipping Acts. *See* MERCHANT SHIPPING, 2 (*g*), 7 (*c*), 11 (*a*).

See also INDIAN MILITARY AND NAVAL FORCES, I.

NAWAB NAZIM'S DEBTS ACT, 1873 - - - - - Act17,1873.

NEGOTIABLE INSTRUMENTS ACT, 1881 - - - - Act26,1881.

„ „ „ 1885 - - - - - Act2,1885.

„ „ „ AMENDMENT ACT, 1897 - - Act6,1897.

NEGOTIABLE INSTRUMENT.

1. Preliminary.

Act 26, 1881, extends to whole of British India - - - Act26,1881,s.1.

„ „ declared in force in the Town of Mandalay - - Act20,1886,s.6.

„ „ when to supersede local usage in case of instruments in Oriental language - - - - Act26,1881,s.1.

Act 2, 1885 (amending Act 26, 1881), declared in force in the Town of Mandalay - - - - - - - - Act20,1886,s.6.

2. Form and Interpretation.

Definitions and requisites - - - - - - Act26,1881,ss.3to16,21, 22(s.7am.Act 2,1885,s.2).

NEGOTIABLE INSTRUMENT—*cont.*

2. Form and Interpretation—*cont.*

Instrument construable as promissory note or bill of exchange at option	Act 26, 1881,	section 17.
Where amount stated differently in figures and words, latter to prevail	„	s.18.
When payable on demand	„	s.19.
Inchoate stamped instrument	„	s.20.
Time of payment; days of grace; "month"; provision as to public holidays	„	ss.22to25.

3. Parties.

Capacity, rights, duties and liabilities of	„	ss.26to45,45A (ad.Act2 1885,s.3).
Signature by agent	„	ss.27,28.
„ „ legal representative of deceased person	„	s.29.
Liability of acceptor of bill of exchange in case of forgery or use of fictitious name	„	ss.41,42.

4. Consideration.

Liability where consideration absent or fails	„	ss.43to45.

5. Negotiation.

By delivery, indorsement, etc.	„	ss.46to60.
Of instrument acquired after dishonour or when overdue	„	s.59.
Rights of holder	„	s.53.
Indorsements in blank or special, etc.	„	ss.49,52,54to56.

6. Presentment.

For acceptance	„	s.61(am.Act2, 1885,s.4).
„ „ drawee's time for deliberation	„	ss.63,83.
„ „ or payment may be made to agent, legal representative of deceased or assignee of insolvent	„	s.75.
For sight	„	s.62.
For payment; when necessary	„	s.64(am.Act2, 1885,s.4).
„ „ when unnecessary	„	s.76.
„ „ time for	„	ss.65to67,72to 74(s.72am.Act 6,1897,s.2).
„ „ place for	„	ss.68to71.
„ „ liability of banker for negligently dealing with bill on	„	s.77.

7. Payment, Interest and Discharge.

Payment to whom to be made	„	s.78.
Interest at what rate and for what period payable	„	ss.79,80.
Delivery of instrument on payment, or indemnity in case of loss	„	s.81.
Discharge from liability by cancellation, release, payment, allowing drawee more than 24 hours to accept, not duly presenting cheque, alteration, etc.	„	ss.82to90(s.84, am.Act6,1897, s.3).

NEGOTIABLE INSTRUMENT—*cont.*

8. Dishonour, Notice, Protest, etc.

Definition of dishonour by non-acceptance and dishonour by non-payment - - - - - - - - - Act 26, 1881, ss. 91, 92.
Notice of dishonour, by, to whom and how to be given - - „ ss.93to97.
„ „ when unnecessary - - - - „ s.98.
Noting of dishonour by notary public - - - - „ s.99.
Demand of payment, etc., by notary public, how to be made - - „ s.101(am.Act2, 1885,s.5).
Protest for non-payment, non-acceptance or better security—
by notary public - - - - - - - „ ss.100,103.
contents of - - - - - - - - „ s.101.
notice of, when to be given instead of notice of dishonour - „ s.102.
when required in case of foreign bill - - - - „ s.104.
noting for protest when equivalent to protest - - - „ s.104A(ad.Act 2,1885,s.6).
Compensation payable in case of dishonour, how determined - „ s.117.

9. Acceptance and payment for honour, and Reference in case of need.

Acceptance for honour; when and by whom may be made - - „ s.108(pt.rep Act 2,1885,s.7).
„ „ declaration to be made by acceptor - - „ s.109(am.Act2, 1885,s.8).
„ „ for whose honour made - - - „ s.110.
„ „ liability and rights of acceptor - - „ ss.111,112.
Payment for honour, how and by whom made; rights of payer for honour - - - - - - - - - „ ss.113,114(s.113 am.Act2,1885, s.9).
Drawee in case of need; effect of reference to - - - „ s.115.
„ „ „ acceptance and payment by, without protest „ s.116.

10. Miscellaneous.

Reasonable time; how determined for presentment, notice, etc. - „ ss.105to107.
Presumptions as to certain matters - - - - - „ ss.118,119.
Estoppel against denying original validity of instrument - - „ s.120.
„ „ „ capacity of payee to indorse - - „ s.121.
„ „ „ signature or capacity of prior party - „ s.122.
Crossed cheques - - - - - - - - „ ss.123to131.
Bills in sets - - - - - - - - - „ ss.132,133.
Conflict of laws - - - - - - - - „ ss.134to137.
Notaries public; power to appoint and remove - - - „ s.138 (ad.Act
„ „ power to make rules for guidance, control and fees of - - - - - - „ s.139 2,1885, s.10).
Summary procedure in suits on negotiable instruments - - Act14,1882,ss.532to538.
Law as to actionable claims not to apply to negotiable instruments - Act4,1882,s.139.
See also GOVERNMENT SECURITIES; PAPER CURRENCY.

NEWSPAPER.
Postage on. *See* POST OFFICE (INDIAN LAW), 3, 4.
Regulation of. *See* PRINTING PRESSES.

NON-BAILABLE OFFENCE DEFINED. *See* WORDS AND PHRASES.

NICOBAR ISLANDS. *See* ANDAMAN AND NICOBAR ISLANDS.

NON-COGNIZABLE CASE and NON-COGNIZABLE OFFENCE defined. *See.* WORDS AND PHRASES.

NORTH-WESTERN PROVINCES.

Certain territories in, are Scheduled Districts - - - - Act14,1874,s.1,Sch.I, Pt.IV(pt.rep.Act 14,1881,s,14,Act 20,1890,s.8). Act15,1874,s.2,Sch.VI, Pt.IV(pt.rep.Act 14,1881,s.14,Act 20,1890,s.8).

Certain enactments declared in force in, except as regards the Scheduled Districts - - - - - - - Act15,1874,s.7,Sch. V(pt.rep.Acts8 of1875,10of1882, 13of1889,8of1890, and12of1891).

Creation of Lieutenant-Governorship. *See* GOVERNMENT OF INDIA, 2 (*b*).

For further provisions enacted expressly for the North-Western Provinces, see the appropriate heads.

NORTH-WESTERN PROVINCES AND OUDH ACT, 1890 - - - - Act20,1890.

NORTH-WESTERN RAILWAY. *See* RAILWAY, 10.

NOTARY PUBLIC. *See* NEGOTIABLE INSTRUMENT, 8, 10.

NOTIFICATIONS.

General provisions as to. *See* ACTS AND REGULATIONS, 1.

NUISANCE.

1853. Act 11 (Bombay Harbour, etc.).
1855. Act 22 (Repeal).
1856. Act 13, s. 85 (Police, Bombay Town).
„ Act 20, s. 52 (Chaukidars).
1857. Act 21, ss. 20 to 23 (Howrah).
1860. Act 48, ss. 19, 20, 22 (Police, Bombay Town).
1861. Act 5, s. 34 (Police).
1866. Ben. Act 2, ss. 40, 41, 41A (Police, Calcutta Suburbs).
„ Ben. Act 4, ss. 66, 68, 68A, 68B, 70 (Police, Calcutta).
1867. Bom. Act 7, ss. 33, 34 (Police, Bombay Districts).
1888. Mad. Act 3, ss. 71 to 75 (Police, Madras City).
1889. Act 13, s. 12 (Cantonments).
„ Bom. Act 1, s. 3 (Village Sanitation, Bombay).
„ Mad. Act 3, ss. 3, 4, 8 (Nuisances, Madras towns).
1890. Bom. Act 4, ss. 38, 39, 40, 50, 61, 65, 66 (Police, Bombay Districts).

Definitions of. *See* WORDS AND PHRASES.

Penalties for certain nuisances in streets, etc.—

generally - - - - - - - Act5,1861,s.34(am.Act8, 1895,s.13).
in cantonments - - - - - - - Act13,1889,section12(2).
in Calcutta - - - - - - - - Ben.Act4,1866,ss.66,68 (am.Ben.Act2,1886, s.2),68A(ad.Ben.Act 2,1886,s.3),68B(ins. Ben.Act2,1895,s.2), 70.
in suburbs of Calcutta - - - - - - Ben.Act2,1866,ss.40(pt. rep.Ben.Act1,1869, s.8),41(am.Ben.Act 2,1886,s.2),41A(ins. Ben.Act2,1895,s.2).

NUISANCE—*cont.*
Penalties for certain nuisances in streets, etc.—*cont.*
in Howrah - - - - - - - - Act21,1857,ss.20to23.
in certain towns in Madras Presidency - - - - Mad.Act3,1889,ss.1,3,48.
in Madras City - - - - - - - - Mad.Act3,1888,ss.71to75.
in Bombay Town - - - - - - - Act13,1856,s.85. Act48,1860,s.19(pt.rep. Bom.Act3,1888),s.22.
in Bombay districts - - - - - - - Bom.Act7,1867,s.33. Bom.Act4,1890,s.61.
Powers of Collector of Bombay for removal of nuisance, obstruction or encroachment in Bombay harbour or on shores of Bombay and Kolaba islands; appeal to High Court - - - - (Bom.)Act11,1853.
Act 11, 1853, repealed as to removal of obstruction, impediment or public nuisance affecting or likely to affect navigation in port of Bombay - - - - - - - - (,,)Act22,1855.
Power of Magistrate to make rules or orders for prevention or regulation of various acts which might cause a nuisance; penalties - Bom.Act7,1867,ss.33,34 (am.Bom.Act3,1886). Bom.Act4,1890,s.s39,40, 59,65,66.
Bom. Act 7, 1867, ss. 33, 34, to cease to have operation in villages in which Part II or Part III of the Bombay Village Sanitation Act, 1889, and rules thereunder are in force - - - Bom.Act1,1889,s.3.
Power of Commissioner of Police to make rules for blasting rocks; penalty for breach of rules - - - - - - (Bom.Town)Act48,1860, s.20.
Power of Local Government to issue order in urgent cases for abatement of nuisance - - - - - - - Bom.Act4,1890,s.38.
Chaukidars to prevent - - - - - - - Act20,1856,s.52.
Public; definition and punishment of, under Indian Penal Code. *See* CRIMINAL LAW (INDIAN), 12.
,, removal of, under Code of Criminal Procedure. *See* CRIMINAL PROCEDURE (INDIAN), 6 (*c*).
Control over commision of, in municipalities:
Aj., L. B., C. P. *See* MUNICIPALITY, II, 6 (*t*).
U. B. ,, ,, III, 6.
As. ,, ,, IV, 6 (*o*); V, 2 (*q*).
Ben. Districts. ,, ,, V (*q*).
Cal. ,, ,, VI, 6 (*t*).
Bom. Districts. ,, ,, VII, 6 (*s*).
,, City. ,, ,, VIII, 6 (*r*).
Coorg & N.-W. P. ,, ,, IX, 6.
N.-W. P. & Oudh ,, ,, X, 6 (*i*).
Mad. Districts ,, ,, XII, 6 (*v*).
,, City ,, ,, XIII, 6 (*s*).
OATH; definitions of. *See* WORDS AND PHRASES.
OATHS ACT (INDIAN), 1873 - - - - - - - Act10,1873.
OATH AND AFFIRMATION.
Act 10, 1873, extends to whole of British India and, as regards subjects of Her Majesty, to Native States - - Act10,1873,s.1.
,, ,, declared in force in—
the Santhál Parganas - - - Reg.3,1872,s.3(am.Reg.3, 1886).

OATH AND AFFIRMATION—*cont.*

Act 10, 1873, declared in force in—*cont.*

the Arakan Hill District	Reg. 9, 1874, s. 3.
Upper Burma generally (except the Shan States)	Act 20, 1886, s. 6.
British Baluchistan	Reg. 1, 1890, s. 3.
Angul and the Khondmals (with an exception)	Reg. 1, 1894, s. 3.
„ „ not to apply to proceedings before Court-martial or to oaths prescribed by certain Statutes	Act 10, 1873, section 3.
What Courts and persons authorised to administer	„ s. 4.
Power of Civil Court to require oath or affirmation	(Mad.) Act 3, 1873, s. 15.
Who to administer, under Code of Civil Procedure	Act 14, 1882, s. 197.
Administration of, in Angul	Reg. 1, 1894, s. 59.
Under Insolvency Act	11-2 V. c. 21, s. 68.
Oath of allegiance on re-admission to British nationality	33-4 V. c. 14, ss 8, 9. 33-4 V. c. 102, s. 1.
Oath on consecration of Bishop	37-8 V. c. 77, s. 12.
Oath or affirmation must be made by witnesses, interpreters and jurors	Act 10, 1873, ss. 5, 6.
Penalty for refusing to make oath or affirmation, etc.	Act 45, 1860, ss. 178, 181 (am. Act 10, 1873, s. 15).
Forms of	Act 10, 1873, ss. 7 to 12.
Proceedings and evidence not invalidated by omission of, or by irregularity in form of, oath or affirmation	„ s. 13.
Persons giving evidence before Court or person administering oath or affirmation, bound to state the truth	„ s. 14.
On taking office; abolition of	„ s. 15.

English law as to. *See also* AFFIDAVIT.

OBSCENITY.

Punishment for. *See* CRIMINAL LAW (INDIAN), 12.

OBSTRUCTIONS IN FAIRWAYS ACT, 1881. (*See* FAIRWAYS) Act 16, 1881.

OFFENCE; definitions of. *See* WORDS AND PHRASES.

OFFENSIVE AND DANGEROUS TRADES.

Control over exercise of, in municipalities:

Aj., L., B., C. P.	*See* MUNICIPALITY,	II, 6 (*n*).	
As.	„	„	IV, 6 (*k*); V, 6 (*m*).
Ben. Districts.	„	„	V, 6 (*m*).
Cal.	„	„	VI, 6 (*o*).
Bom. Districts.	„	„	VII, 6 (*n*).
„ City.	„	„	VIII, 6 (*m*).
Mad. Districts.	„	„	XII, 6 (*j*), (*p*).
„ City.	„	„	XIII, 6 (*n*).
Punjab.	„	„	XIV, 6 (*n*).

OFFENSIVE MATTER.

Removal of. *See cross-references from* RUBBISH AND OFFENSIVE MATTER.

OFFICER.

Definitions of. *See* WORDS AND PHRASES.

See also PUBLIC OFFICER.

OFFICIAL ASSIGNEE. *See* INSOLVENCY, A, 3 (*a*).

OFFICIAL SECRETS ACT, 1889 52-3 V. c. 52.

„ „ „ (INDIAN), 1889 Act 15, 1889.

OFFICIAL SECRETS.

1889.	52-3 V. c. 52 (Official Secrets).	1890.	Reg. 1, s. 3 (Laws, British Baluchistan).
„	Act 15 (Official Secrets).	1896.	Act 2, s. 17 (Cotton Goods).

OFFICIAL SECRETS—*cont.*

Penalty for wrongfully obtaining or seeking information in fortress, arsenal, etc., or taking sketch or plan of fortress, arsenal, etc. — 52-3V.c.52,s.1. Act15,1889,s.3.
„ „ unauthorised communication of sketch, plan, etc. —
„ „ committing above offences with intent to communicate to foreign State — 52-3V.c.52,s.1(3). Act15,1889,s.3(3).
„ „ breach of official trust by official, contractor, or employé — 52-3V.c.52,s.2. Act15,1889,s.4.
„ „ inciting to commit offence under Act — 52-3V.c.52,s.3.
Prosecution: expenses of — „ s.4.
„ restrictions on — „ s.7. Act15,1889,s.5.
Power to suspend 52-3 V. c. 52 in British Possession where similar law obtains — 52-3V.c.52,s.5.
Extent of Act — „ s.6(1). Act15,1889,s.1.
Act 15, 1889, declared in force in British Baluchistan — Reg.1,1890,s.3.
Court for trial; venue — 52-3V.c.52,s.6.
Definitions — „ s.8. Act15,1889,s.2.
Information acquired on inspection of cotton mill deemed an official secret; s. 4, but not s. 5, of Act 15, 1889, to apply — Act2,1896,s.17.

OFFICIAL TRUSTEE.

1850. Act 12 (Public Accountants).
1864. Act 17 (Official Trustees).
1874. Act 2, s. 32 (Administrator General).
„ Act 3, s. 6 (Married Women's Property)
1877. Act 3, s. 88 (Registration).
1882. Act 2, ss. 50, 73 (Trusts).
1890. Act 2 (Official Trustees).
„ Act 6, s. 15 (Charitable Endowments).

1. The Office of Official Trustee.
2. Rights, Powers, Duties and Commission.
3. Accounts and Schedules.
4. Miscellaneous.

1. The Office of Official Trustee.

Official Trustee to be appointed for each of the Presidencies of Bengal, Madras and Bombay — Act 17, 1864, section 4.
Application of definitions contained in Administrator General's Act of "Presidency of Bengal," "Presidency of Madras" and "Presidency of Bombay" — „ s.2(ins.Act2, 1890,s.2).
Power to divide Presidency of Bengal into provinces and appoint an Official Trustee for each; consequences to ensue thereupon — „ s.34(ad.Act2, 1890,s.7).
Government to appoint, suspend, or remove Official Trustee — „ s.5(am.Act2, 1890,s.3).
Administrator General eligible for office — „ s.6.
Existing Official Trustees deemed appointed under Act 17, 1864, as amended by Act 2, 1890 — Act2,1890,s.8.
Security to be given by Official Trustee — Act12,1850. Act17,1864,s.6(am.Act2, 1890,s.4).
Recovery of defalcations from Official Trustee — Act 12,1850.
Leave of absence to Official Trustee; appointment and position of successor — Act17,1864,s.7(am.Act2, 1890,s.5).

2. Rights, Powers, Duties and Commission.

Official Trustee may be appointed trustee of settlement by grantor; his remuneration — „ ss.8,9.

OFFICIAL TRUSTEE—*cont.*

2. Rights, Powers, Duties and Commission—*cont.*

Official Trustee may in certain cases be appointed trustee by order of Court; his commission — Act17,1864,ss.10,11(am. Act2,1890,s.6). Act2,1882,s.73.

„ „ may be appointed by Administrator General to be trustee of assets vested in latter; his commission — Act2,1874,s.32.

Payment to Official Trustee of sum secured by insurance on life of husband for benefit of wife and children — Act3,1874,s.6.

Gift or legacy to which infant or lunatic entitled may be transferred to Official Trustee — Act17,1864,s.32.

Official Trustee to pay expenses of his establishment and other charges; his commission what to cover — „ s.12.

Prohibition in Trusts Act, 1882, against trustee charging for services does not apply to Official Trustee — Act2,1882,s.50.

Official Trustee to be sole trustee — Act17,1864,section13.

Orders of appointment to be made *ex officio* — „ s.17.

Investment of trust moneys — „ ss.14,20.

Orders by High Court as to trust property; re-transfer of trust property — „ ss.15,16.

Vesting of property, etc., in successor of Official Trustee — „ s.17.

Suits, etc., by or against Official Trustee to be brought in name of office; not to abate by his death, resignation or removal — „ s.18.

3. Accounts and Schedules.

Separate accounts to be kept for each trust, and to be open to inspection — „ s.19.

Official Trustee to furnish yearly schedules for each trust and list of securities; order of Chief Justice required for inspecting or taking copies of schedules — „ s.22.

Power of Chief Justice to require additional accounts to be kept — „ s.20.

Appointment of auditors by Chief Justice — „ s.23.

Duties and powers of auditors, and procedure when irregularities disclosed; payment of costs — „ ss.24to29.

Settlement and payment of costs of preparing schedules and accounts, etc. — „ s.26.

4. Miscellaneous.

Punishment for neglecting to produce papers, etc., to auditor — „ s.25.

Power of Chief Justice to make rules for guidance of Official Trustee — „ ss.20,21.

Official Trustee to comply with requisition by Government for returns and statements — „ s.33(ad.Act2, 1890,s.7).

Order of High Court to be equivalent to decree — „ s.30.

Who may apply for order — „ s.31.

Registration of documents executed by Official Trustee in his official capacity — Act3,1877,s.88.

Payment of income-tax by. *See* INCOME-TAX, 3.

Powers of, not affected by Charitable Endowments Act — Act6,1890,s.15.

OPENING.

Of railway. *See* RAILWAY, 4.

Of tramway. *See* TRAMWAY, 3; TRAMWAYS, A, 3.

OPIUM ACT, 1878 — Act1,1878.

OPIUM.

I.—GENERALLY. | II.—BENGAL, CENTRAL PROVINCES, N.-W. PROVINCES AND OUDH.

I.—GENERALLY.

Act 1, 1878, extends to notified [1] areas	Act1,1878,s.1.
„ „ declared in force in—	
the Santhál Parganas	Reg.3,1872,s.3(am.Reg.3, 1886.
British Baluchistan	Reg.1,1890,s.3.
Angul and the Khondmals	Reg.1,1894,s.3.
Prohibition or regulation of cultivation, manufacture, possession, transport, import, export and sale of	Act1,1878,ss.4,5,9.
Power to impose duties on	„ ss.5,6.
Duty leviable on imports of, by sea, or imports by land from foreign territory	Act8,1894,ss.3,5,Sch.3 (am.Act3,1896).
„ „ „ coastwise	Act8,1878,s.20(*b*). Act8,1894,ss.2(*4*),7.
Drawback not allowed on re-exportation	Act8,1878,s.50(*d*).
Warehousing	Act1,1878,sections7to9.
Farm of duties leviable on retail sale	„ s.5(*f*).
Penalties	„ ss.9,18.
Presumption of offence	„ s.10.
Confiscation; fine in lieu thereof; disposal of things confiscated; rewards to officers and informers	„ ss.11to13.
Powers of entry, seizure, search and arrest; disposal of person arrested or thing seized; report of arrests and seizures	„ ss.14to22.
Attachment of illicit crop; bail to be taken from cultivator	„ s.22.
Recovery of arrears of fee or duty, arrears due from or to farmer, and penalties due under bond	„ ss.23,24(am.Act 12,1891),25. (U.B.) Reg.3,1889,ss.37 to46.
Officers of other Departments bound to assist in executing Opium Act	Act1,1878,ss.14to18.
Prohibition of unlicensed importation, manufacture, barter, sale or possession of opium into or in Andamans; penalty	(And.)Reg.3,1876,ss.31,32.
Seizure and confiscation of opium on boat in river Kuladan not protected by pass; penalty on boatman	(Ara.)Reg.9,1874,ss.16,17.
Report of offences to be made by rural policemen	(As.)Reg.1,1883,s.18(*10*).

In cantonments. *See* CANTONMENT, 2.

In Upper Burma Hills. *See* CHIN HILLS, 5; KACHIN HILLS, 5.

II.—BENGAL, CENTRAL PROVINCES [2], N.-W. PROVINCES AND OUDH.

1. Preliminary.

Ben. Reg. 20, 1817, s. 29, declared in force thoughout Bengal except as regards the Scheduled Districts	Act15,1874,s.6.
Act 13, 1857, declared in force—	
throughout Bengal and the N.-W. Provinces, except as regards the Scheduled Districts	„ ss.6,7.
in the Santhál Parganas	Reg. 3,1872,s.2(am.Reg.3, 1886).

[1] Most, if not all, provinces in British India have been notified.
[2] Ss. 3 to 20, 24, 30 and 31 of Act XIII of 1857, and Ben. Reg. 20, 1817, do not apply to the Central Provinces.

OPIUM—*cont.*

II.—BENGAL, CENTRAL PROVINCES, N.-W. PROVINCES AND OUDH—*cont.*

1. Preliminary—*cont.*

Act 13, 1857, declared in force—*cont.*
in the Central Provinces (ss. 21 to 23, 25 to 29) - - - Act 20, 1875, s. 3.
in Oudh (with modifications) - - - - - - Act 18, 1876, s. 3.

2. Officers of Opium Department.

Appointment of; control of, by Board of Revenue - - - Act 13, 1857, s. 3.
Suit against, barred, unless plaintiff has first applied to Opium Agent for redress; petition to Board of Revenue - - - " s. 4.
Opium Agent not to institute suit without sanction of Board of Revenue - - - - - - - - - " s. 5.
Suits by or against, may be conducted by Board - - - " s. 6.
Penalty for receipt of illegal gratification by - - - " s. 17.
" connivance at embezzlement or illegal disposal of opium - " s. 20.
Attendance of, before Criminal Courts, how and when to be secured - Ben. Reg. 20, 1817, s. 29 (*1*) to (*4*) (rep. in pt., Act 16, 1874, & 12, 1876).

3. Cultivation of Poppy and disposal of produce.

Licenses for cultivation; issue of; contents and form of - - Act 13, 1857, ss. 7, 8.
" " " power to withhold; appeal to Agent - " s. 9.
Price to be paid to cultivators - - - - - " s. 7.
Optional with cultivators to engage for cultivation; punishment of officers using compulsion - - - - - - " s. 9.
Penalty on cultivator not cultivating full quantity of land for which he received advance; adjudication of penalty; appeal to Agent - " s. 10.
Delivery, weighment, examination, classification and confiscation of produce; examination of weights and scales - - - " ss. 11 to 15.
Non-liability of produce to attachment for rent or under decree - " s. 11.
Adjustment of accounts and recovery of balance from cultivator - " s. 16.
Rent or cess illegally exacted by landholder; recovery of, with penalty " s. 18.
Penalty on cultivator embezzling or illegally disposing of opium - " s. 19.
" for illegally purchasing, receiving, etc., opium from cultivator, etc. - - - - - - " s. 20.
Unlicensed cultivation; penalty for; seizure and confiscation of opium - - - - - - " s. 21.
" " landholders, farmers, tahsildars, Police-officers, Excise-officers and native officers to give information of, under penalty - - " ss. 22, 23.
" " power to attach crop on discovery of - " ss. 24, 25.
" " " to arrest person engaged in - - " s. 24.
" " s. 22 of Opium Act, 1878, as to attachment of poppy illegally cultivated, not to apply Act 1, 1878, s. 22.
Police-officers to suppress illicit cultivation, manufacture, sale, purchase, importation, transport or possession of opium; penalty - Ben. Reg. 20, 1817, s. 29 (*9*), (*12*) (am. Act 12, 1891).
Power to authorise cultivation of poppy and manufacture of opium without license, and to make rules for delivery of opium so produced - - - - - - - - Act 13, 1857, s. 31.

4. Miscellaneous.

Adjudication of offences; limitation - - - - " s. 26.

OPIUM—*cont.*

II.—BENGAL, CENTRAL PROVINCES, N.-W. PROVINCES AND OUDH—*cont.*

4. Miscellaneous—*cont.*

Imprisonment in default of payment of fine - - - - Act13,1857,s.27.
Enhanced punishment on second and subsequent convictions - „ s 28.
Imprisonment to be in civil jail - - - - - „ s.29.
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ORDINANCES.

Power of Governor General to make - - - - - - 24-5V.c.67,s.23.

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Compensation on retirement to officers of - - - - 37-8V.c.61.

ORDINATIONS FOR COLONIES ACT, 1819. [1] (*See* BISHOPS AND CLERGY) 59G.3,c.60.

ORISSA.

Tributary Mahals of :
Execution in Bengal of certain sentences passed in - - Act11,1893,s.4.
Cuttack :
What territories included in district of- - - - - Ben.Reg.13,1805,s.2.
Power to alter boundaries of district - - - - „ s.3.
Abolition of sair-duties in - - - - - Ben.Reg.12,1805,s.31(pt. rep.Act10,1840).
Revenue-free grants in. *See* LAND-REVENUE, IV, 3 (*c*) (i), (ii).
Registers of landed property ; settlement and collection of land-revenue. *See* LAND-REVENUE, IV, 5.
Rural Police in. *See* POLICE, III, E.
See also PENSIONS AND GOVERNMENT GRANTS.
Cuttack, Puri and Balasore :
Settlement of land-revenue. *See* LAND-REVENUE, IV, 3 (*a*).
Puri. *See* PILGRIM, B.
See also ANGUL DISTRICT ; BANKI ; EMBANKMENT.
For further provisions enacted specially for Orissa, see the appropriate heads.

OUDH.

1. Laws.

Certain Bengal Regulations declared in force (with modifications), to the exclusion of all others - - - - - Act18,1876,ss.2,3(*e*),Sch. I,Sch.II(pt. rep.Acts6of 1878,4and 10of1882, 13of1889, 20of1890, and12of 1891).
Certain Acts of the Governor General in Council declared in force with modifications - - - - - - - „ s.3,Sch.II (pt.rep.Acts 8,1890,and 12,1891).
Law to be administered ; validation of customs - - - „ ss.3,4.

2. Civil Justice.

Restriction of claims under Muhammadan contracts of dower - „ s.5.

[1] This short title was given by 59 & 60 Vict. c. 14.

OUDH—*cont.*

2. Civil Justice—*cont.*

Modifications in Code of Civil Procedure as in force in Oudh	Act	18, 1876, ss. 19, 20, 22.
Right of occupancy in judgment-debtor's sir land sold, etc., under Code of Civil Procedure	"	ss. 25, 39(*g*).
Power of Judicial Commissioner to make rules for custody and sale of attached property	"	s. 27.
Revenue agents authorised to appear, etc., in rent suits	"	s. 26.

3. Criminal Justice.

Confirmation of capital sentences	Act	14, 1891, s. 7.
Hearing of cases by Judicial Commissioner and Additional Judicial Commissioner sitting together; procedure in case of difference of opinion	"	ss. 8, 9.

4. Pre-emption.

Definition	Act	18, 1876, section 6.
Presumption as to, and proof of, right of	"	ss. 7, 8.
Exercise of right	"	ss. 9 to 12.
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5. Police.

Village and Road Police:		
Nomination and appointment of village-policemen	"	ss. 29 to 32.
Appointment of road-policemen	"	s. 33.
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Punishment of; application of fines levied from	"	ss. 36 to 38.
Power to make rules for	"	s. 39 (pt. rep. Act 14, 1878, s. 5,
" to impose rate for maintenance of rural police	N. & O. Act	5, 1894, s. 13(*l*).
Recovery of rate from landholder; recovery by him from co-sharer, etc.	"	ss. 5, 6, 8, 9, 13.
Suits as to rate by what Courts cognizable; appeals		
Rural Police Fund; constitution, application and account of	"	s. 15.
Bar to jurisdiction of Civil Courts as to assessments	"	s. 16.
Power of Local Government to make rules as to assessment, etc.	"	s. 17.
Power to confer police powers on any person, and power to withdraw such powers	Act	18, 1876, section 44.

6. Miscellaneous.

Power to make rules as to—		
disposal of unclaimed property	"	s. 39 (pt. rep. Act 14, 1878, s. 5, Act 3, 1879; am. Act 12, 1891).
conservancy, watch and ward at fairs and assemblies, and imposition of taxes for those purposes		
keeping of records		
appointment, etc., of ministerial officers		
Rules: publication of; penalty for breach of	"	ss. 40, 42.
For further provisions enacted specially for Oudh, see the appropriate heads.		
OUDH AND ROHILKHAND RAILWAY PURCHASE ACT, 1888. (*See* RAILWAY, 10)	"	51-2 V. c. 5.

OUTLAWRY.
None, without due process of law - - - - - - 25E.1(*Mag.Car.*),c.29.[1]

OUT-PORTS LANDING AND SHIPPING FEES ACT (MADRAS), 1885. (*See* PORT) - - - - - - - - - - Mad.Act3,1885.

OWNER; definitions of. *See* WORDS AND PHRASES.

PALANQUIN.

I.—BENGAL.

1. Preliminary.

Ben. Act 2, 1891, applies to—
Calcutta - - - - - - - - - - Ben.Act2,1891,s.1(*3*).
towns and places to which Ben. Act 5, 1866, was extended by notification under s. 54 thereof - - - - - „ s.2(*2*).
Ben. Act 2, 1891, may be extended to other towns and places by notification - - - - - - - - - „ s.1(*3*).
When Act so extended, persons may be appointed to exercise functions of Commissioners and Chairman of Calcutta Municipality; consequential amendments in Act - - - - - - „ s.61.
Power to alter limits of Calcutta; sanction of Governor General in Council required if area to be included is in cantonment - - „ s.4.
Definition of "Calcutta" and "the Commissioners" - - „ s.3.

2. Regulation.

Registration and numbering of palanquins; fee for registration; penalties - - - - - - - - - - „ ss.46to48.
List of fares to be kept inside - - - - - - „ s.49.
Fares for hire of palanquins - - - - - - „ s.50,Sch.II.
Additional fare for extra speed - - - - - - „ s.52(*2*).
Licensing of bearers; fee for license; bearers' tickets; penalties - „ s.51.
Distance which bearers are bound to carry palanquin; penalty - „ s.52(*1*).
Application to owners and bearers of palanquins of provisions of Act as to owners and drivers of hackney-carriages - - - „ s.52(*3*).
Cognizance of offences; procedure; limitation; recovery of fines - „ ss.55,56.
Damage to property of Commissioners to be made good by convicted person - - - - - - - - - „ s.57.
Compensation for groundless prosecution - - - - „ s.58.
Property left in palanquin how to be dealt with - - - „ s.59.
Fees and fines to be credited to Hackney-carriage Fund; application of fund - - - - - - - - - „ s.60.

II.—BOMBAY PRESIDENCY.

See PUBLIC CONVEYANCE.

PANCH MAHALS.
Laws in force in Kaira district (with certain exceptions) to apply to - Act7,1885,s.2.
No longer a Scheduled District - - - - - - „ s.4.

PANCHAYET.
District and Village Panchayets for hearing of suits as to land or crops in Madras Presidency:
Mad. Reg. 12, 1816, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts - - Act15,1874,s.4.
Constitution of - - - - - - - - Mad.Reg.12,1816,s.6(pt. rep.Act12,1876).

[1] This Act is indexed because it is published in the Collection of Statutes relating to India.

PANCHAYET—*cont.*
District and Village Panchayets for hearing of suits as to land or crops in Madras Presidency—*cont.*:
Authority to hear such suits if referred to them by Collector - Mad.Reg.12,1816,s.2.
Procedure of Collector prior to referring such suits to Panchayet - - - - - - - - - „ ss.3to5.
Charges on such suits - - - - - - - „ s.11.
Procedure of; inquiry into charge of partiality brought against; execution of decree of - - - - - - „ ss.6to10.
Copy of Regulation to be kept by Karnam - - - „ s.13.
Village Panchayets for trial of civil causes. *See* VILLAGE COURTS, I, A.
Under Madras Local Boards Act. *See* LOCAL SELF-GOVERNMENT, VI.
Constitution and functions of, under laws relating to—
chaukidars. *See* POLICE, II, A, 2, 3; B, 2, 3.
rural Police. *See* POLICE, III, A.
In Central Provinces. *See* VILLAGE, E, 2.

PANDHARI TAX, CENTRAL PROVINCES.
Act 14, 1867, applies *proprio vigore* to certain districts only, but may be extended to others by order - - - - - Act1,41867,ss.1,6.
Tax assessable on persons any part of whose income is derived from any source other than agriculture; maximum rate of tax - - - - - - - - - „ s.1.
Exemptions from tax - - - - - - - - „ ss.1,3(4).
Power of Local Government to make rules as to assessment and collection of tax - - - - - - - - „ ss.2,3.
Recovery of arrears of tax - - - - - - „ s.4.
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PAPER CURRENCY.
Department of; constitution and functions of - - - Act20,1882,section3.
„ officers of - - - - - - - „ ss.4,6to8.
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Power to establish and alter limits of circles of issue - - „ ss.5,28
Supply and issue of currency notes in exchange for silver or gold coin - - - - - - - - - „ ss.9to13pt., rep.Act8, 1893),28.
Notes where legal tender and where payable - - - „ ss.16to18.
Reserve of coin and Government securities - - - - „ ss.19(am.Act 21,1896),20, 21(am.Act 8,1893),22 to24 Act11,1897,section2.
Prohibition of issue of private bills or notes payable to bearer on demand; proviso; penalty - - - - - Act20,1882,sections 25,26.
Supplementary powers of Governor General in Council for working of Act 20, 1882 - - - - - - - - „ s.28(pt.rep. Act8,1893).
Act 20, 1882, declared in force in—
the Santhál Parganas - - - - - - Reg.3,1872,s.3(am.Reg.3, 1886).

PAPER CURRENCY—*cont.*
Act 20, 1882, declared in force in—*cont.*
Upper Burma generally (except the Shan States) - - Act20,1886,s.6.
British Baluchistan - - - - - - Reg.1,1890,s.3.
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Time of intermission of, limited - - - - - } 1W.&M.sess.2,c.2.[1]
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„ to war, in certain cases - - - - - 12-3W.3,c.2.[1]
„ to benevolence or loan to Crown. *See* CROWN, 2 (*b*).
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PARSIS.
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PARTITION (ENGLISH LAW).
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PARTITION ACT, 1893 - - - - - - - - Act4,1893.
PARTITION AND UNION OF IMMOVEABLE PROPERTY (INDIAN LAW).
1793. Ben. Reg. 8, s. 26 (Settlement, Bengal).
1803. Mad. Reg. 2, ss. 17, 18, 21 to 23 (Partition, Madras).
1812. Ben. Reg. 18, s. 3 (Apportionment of land-revenue, Bengal).
1822. Ben. Reg. 7, s. 12 (Settlement, Bengal).
1872. Reg. 3, s. 3 (Santhál Parganas).
1874. Act 15, s. 6 (Laws Local Extent).
1876. Act 17, s. 101 (Land-revenue, Oudh).
„ Ben. Act 8 (Partition and Union of Estates, Bengal).
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1882. Act 14, ss. 4, 396 (Civil Procedure).
1884. Act 2 (Partition-deeds, Madras).
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I.—BRITISH INDIA GENERALLY.

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Partition of Immoveable Property.
Commission to make, under Code of Civil Procedure - - Act14,1882,s.396.
Code of Civil Procedure not to affect laws passed by Local Councils providing for - - - - - - - - } „ s.4.

[1] These Acts are indexed because they are published in the Collection of Statutes relating to India.

PARTITION AND UNION OF IMMOVEABLE PROPERTY (INDIAN LAW)—*cont.*

I.—BRITISH INDIA GENERALLY—*cont.*

Partition of Immoveable Property—cont.

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II.—AJMERE.

Partition of Lands.

Power to apply for partition of—	
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III.—BENGAL.

Partition and Union of Estates.

1. Preliminary.

Ben. Reg. 8, 1793, declared in force throughout Bengal, except as regards the Scheduled Districts	Act 15, 1874, s. 6.
Ben. Act 8, 1876, extends to the whole of Bengal	Ben. Act 8, 1876, s. 1.
Ben. Regs. 8 of 1793 and 18 of 1812, and Ben. Act 8, 1876, declared in force in Santhál Parganas	Reg. 3, 1872, s. 3 (am. Reg. 3, 1886).
Definitions	Ben. Act 8, 1876, ss. 4, 7.
Future partitions to be made under Act	„ s. 5.

2. Partition.

Power to make partition at settlement	Ben. Reg. 7, 1822, s. 12.
Joint proprietors dissatisfied with offer of settlement entitled to claim partition	Ben. Reg. 8, 1793, s. 26.
Who entitled to claim partition	Ben. Act 8, 1876, ss. 8, 10.
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PARTITION AND UNION OF IMMOVEABLE PROPERTY (INDIAN LAW)—*cont.*

III.—BENGAL—*cont.*

Partition and Union of Estates—cont.

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Restriction on partition of permanently-settled estate which would reduce the annual land-revenue payable by any proprietor to one rupee or less	Ben.Act8,1876,	section11.
Power to refuse partition which would result in formation of estates scattered so as to endanger safety of land-revenue	„	s.13.
Restriction on partition where proprietor has alienated portion of his interest and transferred his liability for land-revenue thereon to the alienee	„	s.14.
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Sale, for arrears of land-revenue, of estate under partition; cessation of partition proceedings on sale	„	s.15.
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Power of Civil Court to order partition; assessment of land-revenue	„	ss.29,30.
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Procedure for carrying out partition—		
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General principles on which partition to be made:		
Lands held in common tenancy	„	ss.87to100.
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Assessment of land-revenue on separated estates	Ben.Reg.18,1812,s.3(2) (rep.locally,Act8, 1885). Ben.Act8,1876,ss.6,30,69, 81,125.	
Reference to arbitration	„	ss.64to68,127.
After partition of estate, tenures and leases to hold good as regards those lands only which are allotted to lessor	„	s.128.
If arrear of land-revenue accrues on separate estate, so as to require sale of estate, Collector to enquire cause and report to Commissioner	„	s.131.
Power of Local Government to order new allotment of land-revenue on separate estate, and to require proprietors of under-assessed estates to make refund to proprietors of over-assessed estates	„	ss.132,133.

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PARTITION AND UNION OF IMMOVEABLE PROPERTY (INDIAN LAW)—*cont.*

III.—BENGAL—*cont.*

Partition and Union of Estates—cont.

3. Union.

Cases in which union may be effected; procedure - - - Ben.Act8,1876,ss.129,130.

4. Supplemental.

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Service of notices - - - - - - - - „ s.135.
Powers for taking evidence - - - - - - „ s.139.
Exercise by Collector of functions assigned to Deputy Collector - „ s.140.
Power to invest Collector or Deputy Collector with powers - - „ s.141.
Appeal to Collector, Commissioner or Board; limitation of appeal; revision; costs of appeal - - - - - - „ ss.142to147.
Fines for non-compliance with notice, etc. - - - - „ ss.137,138(pt.rep., Ben.Act7,1880).
Powers of officers with regard to false evidence or forgery - - „ s.148.
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Apportionment of revenue assessment on partition of estate - - Mad.Reg.2,1803,ss.17,18.
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Assam. *See* LAND-REVENUE, III, A, 4 (*c*), AND B, 2 (*a*); PERMANENT SETTLEMENT, 1; SUCCESSION, 8 (*c*).
Bombay. *See* LAND-REVENUE, VI; VII, A, 5 (*b*); B; C, 3, 4.
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Oudh: determination of rent when partition effected - - - Act17,1876,s.101.
„ *See also* LAND-REVENUE, XVI, 4 (*d*).
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PARTNERSHIP.

Act 9, 1872 (the Indian Contract Act, 1872)—
extends to the whole of British India - - - - Act9,1872,s.1.
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the Town of Mandalay - - - - - Act20,1886,s.6.
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PARTNERSHIP—*cont.*
Act 4, 1886 (amending Act 9, 1872, s. 265), declared in force in—
the Santhál Parganas (s. 1) - - - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
the Town of Mandalay - - - - - - - Act20,1886,s.6.
" Partnership " and " firm " defined - - - - - Act9,1872,section239.
Prohibition of, exceeding certain number, unless registered, etc. - Act6,1882,s.4.
No partnership results—
where lender advances money for share of profits - - Act 9, 1872, section240.
where retiring partner leaves property in the business - - „ s.241.
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where widow or child of deceased partner receives annuity out of profits - - - - - - - - „ s.243.
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Responsibility for representation of being a partner - - - „ ss.245,246.
General duties of partners towards each other - - - „ ss.257to259.
Trust created where advantage gained by partner - - - Act2,1882,s.88.
Provisions for determining mutual relations of partners where no contract to the contrary - - - - - - - Act 9, 1872, section253.
Power of partner to bind co-partners - - - - - „ s.251.
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Rights and obligations of partners in partnership continued after expiry of agreed term - - - - - - - „ s.256.
Revocation of continuing guarantee by change in firm - - „ s.260.
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„ „ on attaining majority - - - „ s.248.
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Dissolution of, by Court - - - - - - - „ s.254.
„ by High Court, when partner becomes lunatic - Act34,1858,s.21.
„ on prohibition of business - - - - Act 9, 1872, section255.
„ continuance of partner's rights and obligations after - „ s.263.
„ notice of - - - - - - - - „ s.264.
Winding-up by Court on dissolution or after termination - „ s.265(am.Act 4,1886,s.1).
Limited liability partnerships, incorporated partnerships, joint-stock companies, etc., to be regulated by special laws applicable thereto - „ s.266.

PASSENGER.
By rail. *See* RAILWAY, 6 (*c*), 7, 9.
On Sind-Peshin section of North-Western Railway. *See* RAILWAY, 10.
By ship. *See* MERCHANT SHIPPING,

PATENT.
Letters Patent when to take effect in British Possessions - - 26-7V.c.76,ss.1to3.

PATNI TALUQS REGULATION (BENGAL), 1819.[1] (*See* LANDLORD AND TENANT, II, B ; III, B) Ben.Reg.8,1819.
„ „ „ „ 1820.[1] Ben.Reg.1,1820.

PATWARI REGULATION (AJMERE), 1895 - - - - Reg.3,1895.

PATWARIS AND KANUNGOS.
1816. Ben. Reg. 5 (Kanungos, Bengal).
1817. Ben. Reg. 12 (Patwaris, Bengal).
1825. Ben. Reg. 13 (Kanungos, Bengal).
1872. Reg. 3, s. 3 (Santhál Parganas).

[1] This short title was given by Act 5, 1897, s. 4.

PATWARIS AND KANUNGOS—*cont.*

1873. Act 19, ss. 23 to 28, 32 to 35, 102, 235, 241, 257 (Land-revenue, North-Western Provinces).
1874. Act 15, s. 6 (Laws Local Extent).
1885. Reg. 3 (Patwaris and Kanungos, Ajmere).
1889. Act 9 (Patwaris and Kanungos, North-Western Provinces and Oudh).

I.—AJMERE - - - - - - .....
II.—BENGAL - - - - - 1. Patwaris. 2. Kanungos.
III.—NORTH-WESTERN PROVINCES AND OUDH .....
IV.—OTHER PROVINCES - - - .....

I.—AJMERE.

Estates to which Reg. 3, 1895, applies; consent of istimrardar to extension of Regulation to his estate not revocable without permission of Chief Commissioner - - - - - Reg.3,1895,ss.1(2),3(6), Sch.
Constitution of Patwari Fund, to provide for pay of patwaris and supervisor kanungos and other expenses - - - - „ s.2.
Imposition and recovery of patwari rate - - - - „ s.3,Sch.
Constitution of circles and divisions and appointment of patwaris and supervisor kanungos respectively therefor - - - „ s.4,Sch.
Power to make rules as to appointment, etc., of patwaris and supervisor kanungos and other matters - - - - „ s.5.

II.—BENGAL.

1. Patwaris.

Every village paying revenue to have a separate patwari; exceptions Ben.Reg.12,1817,ss.3,33.
Filling of vacancies in office of; penalty - - - - „ ss.7to11. Ben.Reg.1,1819,s.6.
When Collector may nominate - - - - - „ s.5.
Removal of; penalty for wrongful removal - - - - Ben.Reg.12,1817,ss.12to15. Ben.Reg.1,1819,s.7.
Duties of - - - - - - - - - Ben.Reg.12,1817,s.16.
Transmission and record of accounts of - - - - „ s.17.
Power of Collector or Court to summon and examine patwari; punishment for not producing accounts or giving evidence - „ ss.22to25.
Penalty for falsification, etc., of accounts of - - - - „ s.27.
„ obstruction of - - - - - - „ s.13. Ben.Reg.1,1819,s.7.
Power to suspend Ben. Reg. 12, 1817, where appointment of patwari inexpedient; person keeping village accounts to be subject, however, to certain provisions of the Regulation - - - Ben.Reg.12,1817,s.33(pt. rep. Act12, 1876).
Remuneration of - - - - - - - „ ss.18to21,34, 35(am.Act12, 1891),s.36.
Bar to jurisdiction of Courts in complaints as to remuneration of patwari or as to decisions of Collector under the Regulation - „ s.34.
Appeal from decision or order of Collector as to remuneration of - „ s.35(am.Act 12,1891).
Recovery of remuneration of, and fines - - - - „ s.36.
Ben. Reg. 12, 1817, extended to Bengal generally - - - Ben.Reg.1,1819,s.4(2).
Ben. Reg. 12, 1817, and Ben. Reg. 1, 1819, declared in force in the Santhál Parganas - - - - - - - Reg.3,1872,s.3(am.Reg.3, 1886).

PATWARIS AND KANUNGOS—*cont.*

II.—BENGAL—*cont.*

1. Patwaris—*cont.*

Power of Governor General in Council to suspend operation of rules regarding patwaris	Ben.Reg.1,1819,s.4(*4*).
Power of Board of Revenue to suspend operation of Ben. Reg. 12, 1817, in certain places	„ s.4(*6*).

2. Kanungos.

Appointment and removal of, number of	Ben.Reg.5,1816,ss.2,3,11, 12. Ben.Reg.1,1819,s.4(*1*),(3).
Office of, not hereditary, but choice of successor to be made as far as possible from family	Ben.Reg.5,1816,s.4.
Salaries of	„ s.5.
Revenue of lands held by, declared to be liable to resumption	„ ss.5,6.
Power to continue minhaidars in possession of lands of which revenue so resumed; minhaidars' tenures declared heritable and transferable	Ben.Reg.13,1825,ss.2,3.
Duties of	Ben.Reg.5,1816,s.7.
„ power to alter	Ben.Reg.1,1819,s.4(*5*).
Not to hold farms, or become sureties for farmers or zamindars	Ben.Reg.5,1816,s.8.
Transfer of records of, to successor; penalties	„ ss.9,10.
Ben. Reg. 5, 1816, extended to Bengal generally	Ben.Reg.1,1819,s.4(*1*).
Ben. Reg. 1, 1819, declared in force in the Santhál Parganas	Reg.3,1872,s.3(am.Reg.3, 1886).
Ben. Reg. 13, 1825, declared in force— throughout Bengal, except as regards the Scheduled Districts	Act15,1874,s.6.
in the Santhál Parganas	Reg.3,1872,s.3(am.Reg.3, 1886).
Power of Governor General in Council to suspend operation of rules regarding kanungos	Ben.Reg.1,1819,s.4(*4*).

III.—NORTH-WESTERN PROVINCES AND OUDH.

Definitions	(N.andO.)Act9,1889,ss.4,9.
Formation of circles and appointment of patwaris therefor	(N.)Act19,1873,ss.23to28, 235(*3*)to(*5*).
Salaries of patwaris	(N.)Act19,1873,s.32.
Appointment and salaries of kanungos	„ „ ss.33,34.
Claims relating to office or emoluments of, excluded from cognizance of Civil Courts	„ „ s.241(*a*).
Power of Board of Revenue to make rules as to duties of	„ „ s.257(*c*).
Power to alter number and limits of patwaris' circles	(O.) Act9,1889,s.10(*1*).
Patwari to be appointed to each circle	„ „ s.10(*2*).
Nomination and appointment of patwaris to fill vacancies	„ „ s.11.
Power to make rules as to appointment of supervisor kanungos and remuneration, duties, punishment, etc., of patwaris and kanungos	„ „ s.12.
Imposition, payment and recovery of patwari-rate to provide for salaries of patwaris and supervisor kanungos and other expenses; appeal from and revision of orders of officers	(N.andO.)Act9,1889,ss.5, 13.
Patwari Fund; constitution, application and account of	„ „ ss.6,14.

PATWARIS AND KANUNGOS—*cont.*

III.—NORTH-WESTERN PROVINCES AND OUDH—*cont.*

Patwari Fund; contributions by Local Government to; minimum contributions - - - - - - - - (N.andO.)Act9,1889,ss.6, 14,18.
Payment of patwari-cess by tenant to landlord - - - - „ „ ss.7,15.
Suits for rate or cess cognizable by Revenue Courts only - - „ „ ss.8,16(am. Act.20, 1890,s.61).
Power to exempt areas or estates from operation of Act 9, 1889, ss. 4 to 8 or 9 to 17 - - - - - - „ „ ss.5(*d*),13(*d*).
Obligation to furnish information necessary for preparation of records of - - - - - - - - „ „ s.19.
Registration by, of transfers of interests in land - - - (N.)Act19,1873,s.102.
Patwari and kanungos to be deemed "public servants" and their records public records - - - - - - „ „ s.35.

IV.—OTHER PROVINCES.

Central Provinces. *See* LAND-REVENUE, XI, 4 (*e*).
Punjab. *See* LAND-REVENUE, XVII, 4 (*c*).

PAUPER.
Suit by - - - - - - - - - Act14,1882,ss.401to415,638.
Appeal by - - - - - - - - - „ ss.592,593.
Control over landing of, in Aden. *See* ADEN, 3.
See also LEPER; LUNATIC.

PAWNBROKER.
Assistance by, to police. *See* POLICE, I, D, 3; E, 3; G, 3; J, 2.

PEGU AND SITTANG CANAL ACT, 1881. (*See* CANAL, III) - - Act2,1881.

PEINT.
No longer a Scheduled District - - - - - Bom.Act2,1894,s.2.
Enactments in force in Nasik District to apply to - - - „ ss.3,4.

PENAL CODE (INDIAN). [*See* CRIMINAL LAW (INDIAN)] - - Act45,1860.

PENAL SERVITUDE.
See CRIMINAL LAW (INDIAN), 2.
Treatment of convicts sentenced to. *See* PRISONER (INDIAN LAW), 2 (*3*).

PENSION (ENGLISH LAW).
To permanent civil servants:
Ordinary rates of superannuation allowances, and regulations; suspension of allowance on subsequent appointment to office - 4-5W.4,c.24,ss.9, 12,20,28,30. [1]
Compensation for abolition of office - - - - „ s.18. [1]
Charge and payment of allowances, etc.; accounts - - „ ss.18, 22,23,26. [1]
For political services; declaration as to means required - - „ s.6. [1]
In respect of service in India Office - - - - - - 23-4V.c.89. 44-5V.c.63. 55-6V.c.40.
See also NAVY, 4.

PENSIONS ACT, 1871 - - - - - - - - Act23,1871.

PENSIONS AND GOVERNMENT GRANTS (INDIAN LAW).
Pensions granted in Cuttack before 14th October, 1803: continuance of; when to revert to Government - - - - Ben.Reg.12,1805,s.30(pt. rep.Act12,1891).

[1] These sections are indexed because they are published in the Collection of Statutes relating to India.

PENSIONS AND GOVERNMENT GRANTS (INDIAN LAW)—*cont.*
Act 23, 1871, extends to whole of British India - - - Act23,1871,s.1.
„ „ declared in force in—
the Santhál Parganas - - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
the Arakan Hill District - - - - Reg.9.1874,s.3.
Upper Burma generally (except the Shan States) - Act20,1886,s.6.
British Baluchistan - - - - Reg.1,1890,s.3.
"Grant of money or land-revenue" includes anything payable on part of Government in respect of any right, privilege, perquisite or office - - - - - - - - Act23,1871,section3.
Claims to, to be preferred to Executive Officer, and disposed of under rules made by Chief Revenue Authority - - „ s.5.
Restrictions on jurisdiction of Civil Courts in claims to - - „ ss.4,6,7.
Certain pensions may be alienated and sued for like ordinary property - - - - - - - - - „ s.7.
Mode of payment of - - - - - - - - „ s.8.
Ss. 4 and 8 not to affect right of grantee of land-revenue to recover same - - - - - - - - „ s.9.
Power of Local Government to commute - - - - „ s.10.
Pensions exempted from attachment - - - - - „ s.11. Act14,1882,s.266(*g*).
„ assignments of, void - - - - - Act23,1871,s.12.
„ reward to persons reporting fraudulent or undue receipt of „ s.13.
Power of Local Government to make rules as to payment of pesions, and for working of Act - - - - - „ s.14.
Pension :
To Bishops and Archdeacons. *See* BISHOPS AND CLERGY.
To High Court Judges. *See* HIGH COURT.
To employés of Indian Museum. *See* INDIAN MUSEUM.
To municipal officers and servants :
Aj., L. B. and C. P. *See* MUNICIPALITY, II, 2 (*d*).
As., Ben. Districts. „ „ V, 2 (*d*).
Cal. „ „ VI, 2 (*c*).
Bom. Districts. „ „ VII, 2 (*d*).
„ City. „ „ VIII, 2 (*b*).
N.-W. P and Oudh. „ „ X, 1 (*d*).
Mad. Districts. „ „ XII, 2 (*d*).
„ City. „ „ XIII, 2 (*c*).
Punjab. „ „ XIV, 2 (*d*).
To police officers employed in municipalities :
Aj., C. P. *See* MUNICIPALITY, II, 5.
N.-W. P. and Oudh. „ „ X, 5.
Punjab. „ „ XIV, 5.
Police Superannuation Funds :
See POLICE, I, D, 2; E, 2; G, 2; J, 2.
To Volunteers - - - - - - - - Act20,1869,s.28(ad.Act10, 1896,s.7).
Military. *See* ARMY, 6; INDIAN MILITARY AND NAVAL FORCES, I.
PERMANENT SETTLEMENT REGULATION (BENGAL), 1793[1] - - Ben.Reg.1,1793.

[1] This short title was given by Act 5, 1897, s. 4.

PERMANENT SETTLEMENT.

1793. [1]Ben. Reg. 1 (Assam and Bengal).
1795. Ben. Reg. 1 (Benares).
„ Ben. Reg. 27 (Benares).
1801. Ben. Reg. 1, s. 8 (Bengal).
1802. Mad. Reg. 25 (Madras).
1846. Act 4, s. 1 (Sale in execution of decree: Assam; Bengal; Benares).
1872. Reg. 3, s. 3 (Santhál Parganas).
1874. Act 15, ss. 4, 6 (Laws Local Extent).
1879. [1]Ben. Act 9, s. 23A (Court of Wards: Sale in execution of decree; Assam and Bengal).

1. Assam[1] and Bengal.
2. Madras.
3. North-Western Provinces (Benares).

Definitions of. *See* WORDS AND PHRASES.

1. Assam[1] and Bengal.

Enactment of certain articles of Proclamation of 22nd March, 1793,—
limiting for ever the public demand of land-revenue from zamindars, independent talukdars and other actual proprietors of land — [1]Ben.Reg.1,1793, ss.1to6.
explaining the reasons for such limitation — „ s.7.
exhorting proprietors to improve their estates, to act with good faith, etc. — „ s.7.
notifying that no suspensions or remissions of revenue will be allowed, and that estates will invariably be sold for arrears — „ s.7.
reserving right of Government to legislate for protection of dependent talukdars, raiyats, etc., to levy internal duties, to assess revenue-free lands and to resume police allowances — „ s.8.
declaring that estates of certain disqualified proprietors shall not be liable to sale for certain arrears — „ s.8.
„ „ proprietors may transfer land without sanction of Government — „ s.9.
prescribing rules for apportioning the fixed assessment on portions of estates in event of transfer or division — „ s.10.
requiring transfers and divisions of estates to be notified to Collector — „ s.10.
prescribing rules for adjustment of assessment on lands held khás or let in farm, in event of transfer or division — „ s.11.
Ben. Reg. 1, 1793, s. 10, to be observed in all cases, whether of public sale, private transfer, or division — [2]Ben.Reg.1,1801,s.8.
Meaning of "actual produce," as used in Ben. Reg. 1, 1793, s. 10 — [2]Ben.Reg.1,1801,s.8.
Procedure where officer charged with allotment of assessment of portion of estate under Ben. Reg. 1, 1793, s. 10, doubts accuracy of village accounts, or where accounts not forthcoming — [2]Ben.Reg.1,1801,s.8.
Sanction of Board of Revenue required to allotment of assessment on portion of an estate — [2]Ben.Reg.1,1801,s.8.
Ben. Reg. 1, 1793, ss. 10, 11, repealed (in Assam and Bengal) as regards adjustment of assessment on lands sold in satisfaction of decree — Act4,1846,s.1.
Ben. Reg. 1, 1793, s. 8, not to prevent sale of estate, etc., for arrear of revenue accruing while same is under charge of Court of Wards — Ben.Act9,1879,s.23A (ins.Ben.Act3, 1881,s.4).

[1] Ben. Reg. 1, 1793, has been declared, by notification under the Scheduled Districts Act, 1874, to be in force in the Assam Districts of Sylhet and Goalpara (excluding the Eastern Dvárs). Ben. Act 9, 1879, s. 23A, has been extended, by notification under the same Act, to the same among other districts of Assam.
[2] Ben. Reg. 1, 1801, is not in force in Assam.

PERMANENT SETTLEMENT—*cont.*

1. Assam and Bengal—*cont.*

Ben. Reg. 1, 1793, and Ben. Reg. 1, 1801, s. 8, declared in force—
throughout Bengal, except as regards the Scheduled Districts - Act15,1874 s.6.
in the Santhál Parganas - - - - - - Reg.3,1872,s.3(am.Reg.3, 1886).

2. Madras.

Objects of introducing Permanent Settlement - - - Mad.Reg.25,1802,s.1.
Assessment to be fixed on all lands liable to pay revenue to Government; in consequence of such assessment, proprietary right of the soil to become vested in proprietors of land for ever - - „ s.2.
Instruments to be granted to such proprietors; in cases of disputed assessment, Courts to give judgment in conformity to such instruments - - - - - - - - - „ s.3.
Assessment to be made exclusively of duties of excise, etc. - - „ s.4.
Resumption of lands held for support of police-establishments - „ s.5.
Revenue to be paid regularly; no remissions to be allowed - - „ s.6.
Processes for recovery of arrears of revenue - - - - „ ss.6,7.
Proprietors may transfer land without consent of Government; saving of liability for revenue; fixing of assessment on portion of estate transferred - - - - - - - - „ ss.8,9.
Appointment, duties and punishment of karnams - - - „ s.11(rep. locally, Mad. Act2,1894, s.3).
Prohibition of appropriation of lands to religious, charitable or other purposes so as to evade payment of revenue - - - „ s.12.
Assessment of revenue payable to and by proprietors on resumption of lands held revenue-free for religious, charitable or other purposes - - - - - - - - - „ ss.12,13.
Landholders to engage with raiyats for rent, to execute pattas with them, and to give receipts for rent; on failure, landholders liable to suit for damages - - - - - - - „ s.14.
Landholders to assist in securing offenders - - - - „ s.15.
Mad. Reg. 25, 1802, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts - - Act15,1874,s.4.

3. North-Western Provinces (Benares).

Publication of proclamation—
limiting for ever the assessment of land-revenue on pattadars -
declaring pattadars to be bound to conform to regulations -
regulating succession to zamindaris, and - - Ben.Reg.1,1795,ss.2,3.
providing for restoration of zamindar on farmer's patta becoming void - - - - - - - -
Restoration of taluqdars, zamindars and other actual proprietors to management of their lands held amani or let in farm, on their agreeing to pay assessment; such assessment declared fixed for ever - - - - - - - - Ben.Reg.27,1795,s.2.
Assessment at which Government land transferred to individuals declared fixed for ever - - - - - - - „ s.3.

PERMANENT SETTLEMENT—*cont.*

3. North-Western Provinces (Benares)—*cont.*

Exhortation to proprietors to improve their estates, to act with good faith, etc. — Ben.Reg.27,1795,s.4.

Reservation of right of Government—

to legislate for protection of pattidars, under-renters, raiyats etc. — „ s.5(1).

to levy internal duties — „ s.5(2).

to assess revenue-free grants — „ s.5(3).

to resume police-allowances — „ s.5(4).

Declaration that lands of dispossessed proprietors shall not be liable to sale for certain arrears — „ s.5(5).

„ „ proprietors may transfer land without sanction of Government — „ s.6.

Rules for apportioning the fixed assessment on portions of estate, in event of transfer or division — „ s.7.

Transfer and divisions of estates to be notified to Collector —

Ben. Reg. 27, 1795, s. 7, repealed as regards adjustment of assessment on lands sold in satisfaction of decree — Act4,1846,s.1.

Restrictions on public sale of lands of certain ancient proprietors — Ben.Reg.27,1795,s.8.

Meaning of "proprietor" and "actual proprietor" — „ s.10.

PERSON; definitions of. *See* WORDS AND PHRASES.

PETITION.

Right of subject to petition the Crown — 1W.&M.sess.2,c.2.

PETROLEUM ACT, 1886 — Act12,1886.

PETROLEUM.

Act 12, 1886, s. 4, and provisions relating to dangerous petroleum and importation of petroleum, extend to whole of British India; other sections extend only to notified areas — Act12,1886,s.1(3)(am. Act12, 1891).

Definitions — „ ss.3,4.

Power to make rules as to importation, refining and testing of — „ s.8.

Precautions to be taken on importation of — „ s.9.

Licensing of possession and transport of, in quantities exceeding 500 gallons — „ ss.10,11.

Power to inspect dealer's stores of, and to require delivery of samples on payment; notice of testing of such samples; certificate as to result of testing, and effect thereof — „ ss.12to14, Sch.(am. Act14,1890).

Dangerous; licensing of importation, transport or possession of, in quantities exceeding 40 gallons — „ s.5.

„ licensing of possession or transport of, in smaller quantities — „ s.6.

„ labelling of vessels containing — „ s.7.

Offences and penalties — „ ss.15to18.

„ what Magistrates to exercise jurisdiction over — „ s.19.

Model test apparatus, and verification of other apparatus thereby — „ ss.20,21,Sch. (am.Act14, 1890).

Power to exempt petroleum from operation of Act — „ s.22.

„ to apply Act to other inflammable fluids — „ s.23.

„ to limit operation of enactments relating to municipalities as regards possession or transport of — „ s.24.

PETROLEUM—*cont.*
Power to revoke or vary notification under Act - - - Act12,1886,s.25.
Rules: publication of, etc. - - - - - - „ s.26.
Control over storing of, in municipalities:
Aj., L. B., C. P. *See* MUNICIPALITY, II, 6 (*o*).
As. „ „ IV, 6 (*l*); V, 6 (*n*).
Cal. „ „ VI, 3.
Punjab. „ „ XIV, 6 (*o*).
PHRASES; various, define WORDS AND PHRASES.
PIER ACT (MADRAS), 1863. (*See* PORT, II, C) - - - Mad.Act5,1863.
PILGRIMS AND PAUPERS REGULATION (ADEN), 1887. (*See* ADEN) - Reg.11,1887.
PILGRIM SHIPS ACT, 1895. [*See* MERCHANT SHIPPING, 3 (*d*)] - Act14,1895.

PILGRIM.

A.—GENERALLY.

See INFECTIOUS DISEASE; MERCHANT SHIPPING, 3 (*d*).

B.—BENGAL.

I.—UNDER PURI LODGING-HOUSE ACT, 1871.

(*a*) *Preliminary.*

Ben. Act 4, 1871, extends to Puri - - - - -
„ „ „ may be extended by notification to—
(1) Bhubanessar and Jajipore - -
(2) any towns or villages in Orissa used as pilgrim stages - - - } Ben. Act4,1871,s.39.
(3) any villages in Orissa on line of road habitually traversed by pilgrims -
(4) any town or place to or through which people go on pilgrimage, and lines of road leading thereto - - } Ben Act2,1879,s.3(am. Ben.Act1,1884, s.2).
Ben. Acts 4 of 1871, 2 of 1879, and 1 of 1884, declared in force in the Santhál Parganas - - - - - - } Reg.3,1872,s.3(am.Reg.3, 1886).
Definitions - - - - - - - - - Ben.Act4,1871,s.1.

(*b*) *Sanitation of places of Pilgrimage, etc.*

Power to appoint Health Officer to control sanitation and conservancy of town and main roads leading thereto - - - } „ s.2.
Penalty for unlawfully depositing filth or rubbish in public highway or drain - - - - - - } „ s.24.
„ „ allowing foul water to drain, etc., into public highway - „ s.25.
Power to require cutting and trimming of hedges or trees - - „ s.26.
Penalty for not removing filth, etc. - - - - - „ s.27.
„ „ not keeping animals in cleanly state, etc. - - „ s.28.
Licensing of public necessaries - - - - - „ s.29.
Penalty for not cleaning drain, privy or cesspool after warning - „ s.30.
Provisions as to tanks - - - - - - „ s.31.
Draining-off of stagnant water - - - - - „ s.33.
Removal of noxious vegetation and draining of premises - - „ s.32.
Power of Magistrate to do acts in default of person to whom notice given, and recover cost from him - - - - - } „ s.34.

PILGRIM—*cont.*

B.—BENGAL—*cont.*

I.—UNDER PURI LODGING-HOUSE ACT, 1871—*cont.*

(*b*) *Sanitation of places of Pilgrimage, etc.*—cont.

Ben. Act 4, 1871, ss. 24 to 34, repealed in municipalities	Ben. Act 5, 1876, section 2.
Power of Magistrate and Civil Surgeon to make bye-laws as to conservancy, regulation of encampments, etc., and prevention of spread of epidemic diseases among pilgrims	Ben. Act 4, 1871, ss. 37, 38.
Lodging-houses :	
Licensing of	„ ss. 3 to 6, Schs. A, B.
Penalty for keeping unlicensed lodging-house	„ s. 7.
Fee for license and Health Officer's certificate issued in connection therewith	„ s. 8.
Duration of license	„ s. 9.
Power to inspect and exempt from inspection; report of inspections	„ ss. 10, 11, 15.
License to be produced on demand	„ s. 12.
Reports to be made by keeper	„ s. 13.
Keeper to exhibit number of license and number of lodgers covered by it	„ s. 14.
Penalties on keeper or person in charge of	„ ss. 7, 17, 18.
Revocation and suspension of license	„ s. 20.
Reduction of number of lodgers covered by license	„ s. 21.

(*c*) *Miscellaneous.*

Applications under Act to be in writing	„ s. 23.
Obligation to state truth in applications, statements and reports made under Act	„ s. 16.
Application of Code of Criminal Procedure	„ s. 19.
Fines and fees levied under Act to be expended on sanitary improvement	„ s. 22 (am. Ben. Act 2, 1879, s. 2).
Service of notices, etc., under Act	„ s. 35.
Actions for things done under Act: notice of; limitation of; tender of amends	„ s. 36.
Ss. 2, 3, 7, 8, 14, and Sch. B of Ben. Act 4, 1871, amended in places to which the Act is extended by notification	Ben. Act 2, 1879, s. 3 (am. Ben. Act 1, 1884, s. 2).

II.—UNDER PROTECTION OF MUHAMMADAN PILGRIMS ACT, 1896.

Act applies to Muhammadan pilgrims to the Hedjaz	Ben. Act 1, 1896, s. 2.
Act extends *proprio vigore* to Calcutta only, but may be extended by Local Government to any other place	„ s. 1.
Definitions	„ s. 2.
Licensing of pilgrim-brokers; penalties for misbehaviour of licensed broker or for acting without license	„ ss. 3 to 7.
Appointment, duties and powers of Protectors of Pilgrims	„ ss. 8, 9.
Master, etc., of ship to give information and aid to Protector of Pilgrims; penalties	„ ss. 10 to 12.
Regulations as to issue of tickets; penalties	„ ss. 13, 14.
Jurisdiction; distress of ship; application of fines; prosecutions	„ ss. 15 to 17.

PILGRIM—*cont.*

C.—PORTS OF BOMBAY AND KARACHI.

Act applies to Muhammadan pilgrims to the Hedjaz - - - } Bom.Act2,1887,s.2.
Definitions - - - - - - - - - }
Licensing of pilgrim-brokers; penalties for misbehaviour of licensed broker or for acting without license - - - - } „ ss.3to7.
Appointment, duties and powers of Protectors of Pilgrims - - „ ss.8,9.
Master, etc., of vessel to give information and aid to Protector of Pilgrims; penalties - - - - - - } „ ss.10to12.
Regulations as to issue of tickets; penalties - - - - „ ss.13,14.
Jurisdiction; distress of ship; application of fines; prosecutions - „ ss.15,16.

D.—ADEN.

See ADEN, 3.

PILOTS ACT (BRITISH BURMA),[1] 1883 - - - - - Act12,1883.

PILOT.

See INDUS; MERCHANT SHIPPING, 9.

PIRACY ACT, 1850[2] - - - - - - - - - 13-4V.c.26.

PIRACY.

1850. 13-4 V. c. 26 (Rewards for Capture of Pirates). 1878. 41-2 V. c. 73, s. 6 (Piracy on Territorial Waters).

Trial of act of piracy, as defined by law of nations, committed at sea within territorial waters of Her Majesty's dominions - - } 41-2V.c.73,s.6.
Jurisdiction of Admiralty and Colonial Courts of Admiralty or Vice-Admiralty Courts to determine questions as to engagements by navy with pirates - - - - - - - } 13-4V.c.26,s.2.
Returns by Courts to Admiralty of cases decided - - - „ s.3.
Condemnation as droits of Admiralty of ships, etc., taken - - „ s.5.
Restoration of ships, etc., re-taken from pirates - - - „ s.5.
Punishment of perjury in proceedings - - - - „ s.6.
Further provisions as to prize and salvage. *See* NAVY, 4 (*b*); PRIZE.
„ „ „ trial of offences committed at sea, or within Admiralty jurisdiction. *See* SEA.
Pirates are enemies within Army and Navy Discipline Acts. *See* ARMY, 4 (*b*); NAVY, 3 (*b*).

PLACE; definitions of. *See* WORDS AND PHRASES.

PLACES OF PUBLIC RESORT ACT, 1888 - - - - - Mad.Act2,1888.

PLACES OF PUBLIC RESORT OR ENTERTAINMENT.

1. Calcutta and Suburbs.

Hotels, drinking shops, places of sale or consumption of intoxicating drugs, coffee-houses, boarding-houses, eating-houses, lodging-houses and other places of public resort and entertainment; licensing of [*see also* MUNICIPALITY, VI, 6 (*t*)] - - - - } (Cal.)Ben.Act4,1866,ss.35, 37to40(am.Ben.Act 2,1876,s.12),41. (Cal.Sub.)Ben.Act2,1866, ss.18,20to24.

[1] Now read "Lower Burma"—*see* Act 20, 1886, s. 4.
[2] This short title was given by 50 & 60 Vict. c. 14.

PLACES OF PUBLIC RESORT OR ENTERTAINMENT—*cont.*

2. Bombay Town.

Penalty for permitting disorderly behaviour or gaming in, or resort of prostitutes to, or for harbouring deserter in, place of public resort and entertainment - - - - - - - Act13,1856,s.53.

Hotels, drinking shops, places for sale or consumption of intoxicating drugs, eating-houses, coffee-houses, boarding-houses, lodging-houses and other places of public resort and entertainment; licensing of - - - - - - - - Act48,1860,ss.11to13(pt. rep.Bom.Act 9,1867).

3. Madras Districts.

Mad. Act 2, 1888, extends to municipal towns in districts and may be extended by notification to other areas in districts - - - - - - Mad.Act2,1888,s.1.

„ „ „ does not apply to places of public worship - - „ s.2.

Definitions - - - - - - - - - - „ s.2.

Enclosed places or buildings of or over 500 square feet in area not to be used for public resort or entertainment unless licensed by Chairman of Municipality or Magistrate - - - - - „ ss.3,5.

Provisions as to refusal, grant, revocation and suspension of licenses; appeals; revision by District Magistrate - - - - - „ ss.4to10,12.

Entry and inspection - - - - - - - „ s.11.

Penalty for breach of license, etc. - - - - - - „ s.13.

Power to make rules - - - - - - - „ s.14.

4. Madras City.

Places of public entertainment or resort; licensing, inspection and regulation of - - - - - - - - - Mad.Act3,1888,ss.34,36 to40.

Eating-houses, coffee-houses, boarding-houses, lodging-houses, hotels, drinking shops, gymnasia and fencing-schools; licensing, inspection and regulation of - - - - - - - - „ ss.35to40.

5. Elsewhere.

Regulation of, in municipalities :

C. P. *See* MUNICIPALITY, II, 6 (*t*).

N.-W. P. and Oudh. „ „ X, 6 (*i*).

PLEADER.

See LEGAL PRACTITIONER, 1, 2, 4.

PLEDGE.

Incidents of. *See* CONTRACT, 5 (*c*).

Penalty for taking, from child. *See* INFANT.

POISON.

Punishment for negligent conduct with respect to - - - - Act45,1860,s.284.

Bom. Act 8, 1866, extends to parts of Bombay Presidency and may be extended to others by Local Government - - - - Bom.Act8,1866,sec.21.

To what poisons Act applies - - - - - - - „ s.2,Sch.A.

Licensing of sellers of - - - - - - - - „ ss.3to9,Schs. A,B.

Registration of sales of - - - - - - - „ ss.13,15,Sch.C.

Restrictions on sale of, to unknown person - - - - - „ s.14.

Not to be sold to person under 18 - - - - - - „ s.16.

Colouring of white arsenic before sale - - - - - „ s.17.

POISON—*cont.*

Act not to prevent sale of poison in medical preparations or by wholesale - - - - - - - - } Bom.Act8,1866,s.19.
Offences and penalties - - - - - - - „ ss.11,12,18.
Recovery of fines - - - - - - - - „ s.20.
Application of license fees and fines - - - - - { „ 10. Bom.Act1,1884,s.44(*e*).
POLICE ACT, 1888 - - - - - - - - Act3,1888.
„ „ (BOMBAY DISTRICTS), 1867 - - - - - Bom.Act7,1867.
„ „ „ „ 1890 - - - - - Bom.Act4,1890.
„ „ (CALCUTTA), 1866 - - - - - - - Ben.Act4,1866.
„ „ (MADRAS CITY), 1888 - - - - - - Mad.Act3,1888.
POLICE-OFFICERS REGULATION (ASSAM), 1883 - - - - - Reg.2,1883.

POLICE.[1]

1805. Ben. Reg. 13 (Rural Police, Cuttack and Midnapur).
1816. Mad. Reg. 1, ss. 1 to 4, 6 (Maintenance of police, Tanjore District).
1817. Ben. Reg. 20, s. 21 (Village Watchmen, Bengal).
1831. Ben. Reg. 11 (Police powers of Tahsildars, North-Western Provinces).
1854. Act 16 (Police powers of Tahsildars, North-Western Provinces).
1856. Act 13 (Police, Bombay town).
„ Act 20 (Chaukidars, Ajmere, North-Western Provinces, Oudh, Punjab).
1859. Act 24 (Police, Madras Districts).
1860. Act 48 (Police, Bombay town).
1861. Act 5 (Ordinary police).
1865. Mad. Act 5 (Fines, Madras Districts).
1866. Ben. Act 2 (Police, Calcutta Suburbs).
„ Ben. Act 4 (Police, Calcutta).
1867. Bom. Act 8 (Village police, Bombay).
„ Mad. Act 8, s. 81 (Repeal).
1869. Ben. Act 7 (Ordinary police, Assam and Bengal).
1870. Act 8, ss. 2, 3 (Female Infanticide).
„ Ben. Act 6 (Village Chaukidars, Assam and Bengal).
1871. Ben. Act 1 (Village Chaukidars, Assam and Bengal).
1872. Bom. Act 1 (Police Superannuation Fund, Bombay town).
„ Reg. 3, s. 3 (Laws, Santhál Parganas).
1873. Act 16 (Village and Road Police, North-Western Provinces).
1874. Act 15, ss. 4, 7 (Laws Local Extent).
„ Ben. Act 1, s. 2 (Trial of offences, Calcutta suburbs).
„ Reg. 9, s. 3 (Laws, Arakan Hills).
1875. Act 3 (Village Watchmen, Ajmere).
1876. Act 18, s. 3 (Laws, Oudh).
„ Ben. Act 5, s. 375 (Municipalities, Assam).
1880. Act 2, ss. 9, 12 to 24 (Rural Police, Lower Burma).
1881. Bom. Act 4, s. 5 (Village officers, Sindh).
„ Mad. Act 1 (Police, Madras Ports).
1883. Act 14, s. 3 (Local Boards, North-Western Provinces and Oudh).
„ Act 15, s. 17 (Municipalities, North-Western Provinces and Oudh).
„ Act 20, s. 69 (District Boards, Punjab).
„ Reg. 1 (Rural police, Assam).
„ Reg. 2 (Magisterial powers of Police-officers, Assam).
1884. Ben. Act 3, s. 364 (Municipalities, Assam and Bengal).
1885. Act 13, s. 33 (Telegraph).
1886. Act 20, s. 6 (Laws, Upper Burma).
„ Reg. 5, s. 17 (Municipalities, Ajmere).
1887. Act 15 (Military police, Burma).
„ Ben. Act 5 (Rural Police, Chota Nagpur).
1888. Act 3 (Ordinary police).
„ Mad. Act 3 (Police, Madras City).
„ Reg. 2 (Military police, Andamans).
1889. Act 3, ss. 1 to 3, 8, 9, 18 to 23 (Rural Police, Lower Burma).
„ Act 13, ss. 18, 19 (Cantonments).

[a] Ss. 33 and 34 of Bom. Act 7, 1867 (the Bombay District Police Act, 1867), are indexed under "Nuisance." The other sections of the Act are not indexed, because they are in force only in Sindh and will be repealed in that province on the extension of Bom. Act 4, 1890, thereto.

POLICE—*cont.*

1889. Bom. Act 1, s. 3 (Village Sanitation, Bombay).
1890. Ben. Act 1 (Police Superannuation Fund, Calcutta and Suburbs).
,, Ben. Act 3, ss. 129 to 134 (Police, Calcutta Port).
1890. Bom. Act 4 (Ordinary police, Bombay Districts).
,, Reg. 1, s. 3 (Laws, British Baluchistan).
,, Reg. 4 (Military police, Assam).
1892. Act 5 (Military police, Bengal).
1894. Reg. 1, ss. 3, 60 (Laws, Angul).

GENERALLY - - - - - .....

I.—ORDINARY POLICE.

A.—GENERALLY - - - - - **1. Preliminary. 2. Constitution and Government. 3. Powers and Duties of Police-officers. 4. Additional and Special Police. 5. Miscellaneous.**
B.—ASSAM - - - - - - .....
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E.—CALCUTTA SUBURBS - - - -
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II.—CHAUKIDARS (WATCHMEN).

A.—AJMERE, NORTH-WESTERN PROVINCES, OUDH AND PUNJAB - **1. Preliminary. 2. Appointment, Duties, etc., of Chaukidars. 3. Taxation for maintenance of Chaukidars. 4. Miscellaneous.**
B.—ASSAM AND BENGAL - - *Village Chaukidars.* **1. Preliminary. 2. Appointment, Duties, etc., of Chaukidars. 3. Taxation for maintenance of Chaukidars. 4. Miscellaneous.**
C.—BENGAL - - - - - *Village Watchmen.*
D.—CENTRAL PROVINCES - - .....

III.—RURAL POLICE.

A.—ASSAM - - - - - .....
B.—BOMBAY PRESIDENCY (VILLAGE POLICE) - - - - .....
C.—LOWER BURMA - - - .....
D.—CHOTA NAGPUR DIVISION (BENGAL) - - - - - **1. Preliminary. 2. Village Police. 3. Road Patrols. 4. Miscellaneous.**
E.—CUTTACK AND MIDNAPUR (BENGAL) - - - - .....
F.—NORTH-WESTERN PROVINCES - **1. Police powers of Tahsildars. 2. Village and Road Police.**
G.—OTHER PROVINCES - - .....

IV.—MILITARY POLICE.

A.—ANDAMAN AND NICOBAR ISLANDS.
B.—ASSAM.
C.—BENGAL.
D.—BURMA.

V.—MISCELLANEOUS.

GENERALLY.

Definitions of "police," "police authority," etc. *See* WORDS AND PHRASES.

POLICE—*cont.*

GENERALLY—*cont.*

General provisions as to—
aid and information to police. *See* CRIMINAL PROCEDURE (INDIAN), 3.
arrest by police. „ „ „ „ 4.
prevention of offences by police. „ „ „ „ 6 (*e*).
information to police, and their power to investigate. „ „ „ „ 7.

I.—ORDINARY POLICE.

A.—GENERALLY.

1. Preliminary.

Power to extend Act 5, 1861, to any Presidency, Province or place, and to make rules for giving effect to Act there - - - - Act 5, 1891, s. 46 (am. Act 8, 1895, s. 15, and see s. 16).
Act 5, 1861, declared in force in—
the Santhál Parganas - - - - Reg. 3, 1872, s. 3 (am. Reg. 3, 1886).
the Arakan Hill District - - - Reg. 9, 1874, s. 3.
Upper Burma generally (except the Shan States) - Act 20, 1886, s. 6.
British Baluchistan - - - - Reg. 1, 1890, s. 3.
Angul and the Khondmals - - - Reg. 1, 1894, s. 3.
„ „ to take effect throughout British India, for purposes of Act 3, 1888 - - - - - - Act 3, 1888, s. 2 (*6*).
Act 3, 1888, extends to whole of British India - - - Act 3, 1888, s. 1.
„ „ declared in force in British Baluchistan - - Reg. 1, 1890, s. 3.
Definitions - - - - - - - - - Act 5, 1861, s. 1 (am. Act 8, 1895, s. 1).

2. Constitution and Government.

Constitution of force - - - - - - - „ s. 2.
Superintendence to vest in Local Government - - - „ s. 3.
Administration vested in Inspector General, with Deputies and assistants, and District Superintendents with assistants - - „ s. 4.
Control by District Magistrate - - - - - -
Power to create general police-district embracing parts of two or more Presidencies, Provinces or "places," and direct enrolment under Act 5, 1861, of a police force for service therein; discharge functions of Local Government, etc., therein - - - - Act 3, 1888, s. 2 (am. Act 12, 1891).
Employment of police-officers beyond the presidency, etc., to which they belong - - - - - - - - „ s. 8.
Magisterial powers of Inspector General - - - - Act 5, 1861, section 5.
Appointment, pay and departmental punishment of police-officers „ ss. 2, 4, 7 (am. Act 8, 1895, s. 2).
Certificate to be held by police-officer - - - - „ s. 8 (am. Act 8, 1895, s. 3), Sch.
Resignation of police-officer - - - - - - „ s. 9.
Penalty for not surrendering certificate, clothing, etc., on ceasing to be police-officer - - - - - - - „ s. 28.
Police-officer not to engage in other employment without express permission - - - - - - - - „ s. 10.
Power of Inspector General to issue rules and orders as to organization, etc. - - - - - - - - „ s. 12.

POLICE—*cont.*

I.—ORDINARY POLICE—*cont.*

A.—GENERALLY—*cont.*

2. Constitution and Government—*cont.*

Penalty for neglect of duty, etc.		Act5,1861,s.29(am.Act8, 1895,s.9).
General Fund: constitution and application of; rewards, etc., to be credited to	„	ss.16(am.Act8, 1895,s.6),41.
Diary; keeping and inspection of	„	s.44.
Submission of returns to Local Government	„	s.45.
Authority of District Superintendent of Police over village-police	„	s.47.

3. Powers and Duties of Police-officers.

General powers and duties	„	ss.20to24(pt.rep. Act10,1882).
Regulation of public assemblies or processions and of use of music in streets	„	ss.30,30A,31,32, 33(am.Act8,1895, ss.10to12).
Arrest of persons committing certain nuisances in streets, etc.	„	s.34(am.Act3, 1895,s.13).

For other powers and duties, see the appropriate heads in the Index.

4. Additional and Special Police.

Power to depute additional police-officers to keep the peace at cost of applicants	„	ss.13,16(am.Act 8,1895,s.6).
Power to appoint additional force in neighbourhood of railway or other works, and recover cost	„	ss.14,16(am.Act8, 1895,s.6).
Power to employ additional police where mischief to telegraph repeatedly committed; recovery of cost from inhabitants		Act13,1885,s.33.
Appointment of residents to act as special police-officers, under penalty; their powers, etc.		Act5,1861,ss.17to19.
Entertainment of extra police under Infanticide Act		Act8,1870,ss.2,3.

See also DISTURBED DISTRICT.

5. Miscellaneous.

Jurisdiction over offences by police-officers		Act5,1861,s.35(pt.rep. Act10,1882).
Prosecution under other law not barred, but only one punishment allowed	„	s.36.
Recovery of fines	„	s.37(am.Act8, 1895,s.14).
Notice of action; tender of amends; no action to lie where officer criminally prosecuted	„	s.42(pt.rep. Act9,1871).
Plea that act was done under warrant	„	s.43.
Enrolment of village police-officers under Act 5, 1861	„	s.21.

B.—ASSAM.

Magisterial powers of police-officers	Reg.2,1883.

C.—ASSAM AND BENGAL DISTRICTS.

Ben. Act 7, 1869, applies to the whole of Bengal	Ben.Act7,1869,s.6.
„ „ „ declared in force in the Santhál Parganas	Reg.3,1872,s.3(am.Reg.3, 1886).

POLICE—*cont.*

I.—ORDINARY POLICE—*cont.*

C.—ASSAM AND BENGAL DISTRICTS—*cont.*

Constitution of force; repeal of Act 5, 1861, s. 2	Ben.Act7,1869,ss.1,4.
Power of Local Government to divide Bengal into general police-districts, and appoint persons to exercise therein the powers of Inspector General	„ ss.2,3.
Power to employ police out of their own district	„ s.5.
Angul (in Bengal) to be a general police-district; Superintendent to have powers of Inspector General of Police	Reg.1,1894,s.60.

D.—CALCUTTA.

1. Preliminary.

Definitions	Ben. Act 4, 1866, section3.

2. Constitution and Government.

Constitution of force	„ s.8.
Administration to vest in Commissioner of Police; power to appoint Deputies	„ ss.4,5,9.
Magisterial powers of Commissioner and his Deputies	„ ss.6,7.
Power of Commissioner to make orders and regulations for government of force	„ s.9.
Appointment, pay and departmental punishment of police-officers	„ ss.4,5,10,11.
Penalty for neglect of duty, etc.	„ s.12.
Certificate to be held by police-officer	„ s.13,Sch.,FormA.
Resignation of police-officer	„ s.14.
Surrender of certificate, clothing, etc., on ceasing to be police-officer	„ s.15.
Police Superannuation Fund:	
Constitution of	„ s.16(pt.rep.Ben. Act1,1890, s.1).
Consolidation of Funds for Calcutta and Suburbs	Ben.Act1,1890,s.2.
Certain moneys to be credited to Consolidated Fund	„ s.4.
Application of Consolidated Fund	„ s.2.
Power to make rules as to grant of pensions and gratuities out of Consolidated Fund	„ s.5.
Police-officers not entitled absolutely to pension, etc.	„ s.2.

3. Powers and Duties of Police-officers.

Execution of warrants	Ben. Act 4, 1866, section25.
Power to inform pawnbroker, dealer in second-hand property, or money-changer, of stolen property; duties of such persons as to securing such property	„ s.53.
Regulation of public assemblies or processions and of use of music in streets	„ s.62.
Power to arrest without warrant for offence against Ben. Act 4, 1866; person arrested how to be dealt with	„ ss.72(am.Ben.Act2, 1886,s.4),72A (ins.Ben.Act2 1895,s.6),76
Power to take recognizance; recovery of sum due thereunder	„ ss.77,78,9[illegible]

POLICE—*cont.*

I.—ORDINARY POLICE—*cont.*

D.—CALCUTTA—*cont.*

3. Powers and Duties of Police-officers—*cont.*

Power to take charge of, and deliver to persons entitled, moveable property of intestate worth less than Rs. 200; power to take security for due administration and distribution of such property — Ben. Act 4, 1866, ss. 100, 101.
Destruction of stray dogs — „ s. 102.
Duties, etc., of Police under Fire Brigade Act. *See* FIRE, 3.
For other powers and duties, see the appropriate heads in the Index.

4. Additional and Special Police.

Power to appoint additional constables to keep the peace at cost of applicant — „ s. 21.
Power of Commissioner to appoint special constables; their powers, etc.; penalty for not serving, etc. — „ ss. 18 to 20.
Port Police Force:
Constitution and control of — Ben. Act 3, 1890, ss. 129 to 131.
Daily reports by Superintendent to Port Commissioners — „ s. 132.
Budget — „ ss. 133, 134.

5. Miscellaneous.

Actions and prosecutions for things done under Ben. Act 4, 1866: limitation; notice; tender of amends; costs, etc. — Ben. Act 4, 1866, s. 99.

E.—CALCUTTA SUBURBS.

1. Preliminary.

Power to exclude suburbs of Calcutta from general police district, and to alter limits of suburbs — Ben. Act 2, 1866, section 1.
Definitions — „ s. 51.

2. Constitution and Government.

Constitution of force — „ s. 2.
Direction of force to vest in Commissioner of Police for Calcutta; his power to make orders and regulations as to general government, etc. — „ s. 3.
Delegation of Commissioner's powers to Deputy Commissioner — „ s. 50.
Appointment and departmental punishment of police-officers — „ ss. 4, 5.
Penalty for neglect of duty, etc. — „ s. 6.
Certificate to be held by police-officer — „ s. 8, Sch.
Resignation of police-officer — „ s. 7.
Surrender of certificate, clothing, etc., on ceasing to be police-officer — „ s. 9.
Police Superannuation Fund:
Constitution of — „ s. 10 (pt. rep. Ben. Act 1, 1890, s. 1).
Consolidation of, with Calcutta Fund; application of Consolidated Fund, etc. *See above*, D, 2.

POLICE—*cont.*

I.—ORDINARY POLICE—*cont.*

E.—CALCUTTA SUBURBS—*cont.*

3. Powers and Duties of Police-officers.

Power to inform pawnbroker, dealer in second-hand property, or money-changer, of stolen property; duties of such persons as to securing such property — Ben. Act 2, 1866, section 33.

Regulation of public assemblies or processions, and of use of music in streets — „ s.39.

Destruction of stray dogs — „ s.42.

Power to arrest without warrant for offence against Ben. Act 2, 1866; person arrested how to be dealt with — „ ss.43(am. Ben. Act 2, 1895, s.3), 43A (ins. Ben. Act 2, 1895, s.5), 45.

Power to take recognizance — „ ss.46, 47.

For other powers and duties, see the appropriate heads in the Index.

4. Additional and Special Police.

Power to appoint additional police-officers to keep the peace at cost of applicant — „ s.15.

Power of Commissioner to appoint special police-officers; their powers, etc.; penalty for not serving, etc. — „ ss.12 to 14.

5. Miscellaneous.

Recovery and appropriation of fines — „ s.48(am. Act 10, 1872, Sch. V; Act 10, 1882, s.3).

Offences punishable under Ben. Act 2, 1866, to be enquired into and tried under Code of Criminal Procedure — Ben. Act 1, 1874, s.2.

F.—BOMBAY DISTRICTS.

1. Preliminary.

Bom. Act 4, 1890, extends to whole of Bombay Presidency, except Sindh, Aden [1] and Bombay City — Bom. Act 4, 1890, s.1(*1*).

„ „ „ may be extended by order to Sindh or Aden [1] — „ s.1(*2*).

Definitions — „ s.3.

2. Constitution and Government.

Constitution of force — „ s.4.

Direction of force vested in Inspector General, with Deputies — „ s.5.

District Superintendents and Assistant Superintendents; appointment, etc., of — „ s.6.

Magisterial powers of Commissioner and Inspector General — „ s.7.

Control by District Superintendent, Inspector General, District Magistrate and Commissioner — „ ss.12 to 20.

Appointment, pay and departmental punishment of police-officers — „ ss.4 to 6, 8, 9, 29 to 31.

Certificate to be held by Inspectors and officers of lower grade — „ ss.10, 11, Sch. B.

[1] Bom. Act 4, 1890, has been extended to Aden by notification under the Scheduled Districts Act, 1874.

POLICE—*cont.*

I.—ORDINARY POLICE—*cont.*

F.—BOMBAY DISTRICTS—*cont.*

2. Constitution and Government—*cont.*

Police-officer to continue to be subject to responsibilities on suspension	Bom. Act 4, 1890,	s.11(b).
Police-officers not to engage in trade or other employment without express permission	„	s.33.
Resignation of police-officer	„	s.34.
Surrender of certificate, clothing, etc., on ceasing to be police-officer	„	ss.35,37
Power of Inspector General—		
to make rules or orders as to organization, etc.	„	s.27.
to call for returns, etc.	„	s.28.
Punishments for neglect of duty, etc.	„	ss.29to31,36.
Power to transfer police-officers to any part of the Presidency	„	s.32.
Penalty for vexatious search, arrest, detention, etc., by police	„	ss.63,64.
Authority of District Superintendent over village police-officers	„	s.76.

3. Powers and Duties of Police-officers.

General duties	„	ss.32,51(*1*), 52,53,55.
„ powers	„	ss.48(*c*),54.
Powers of entry and search	„	s.51(*2*),(*3*).
Prevention of disorder or danger at public places of amusement, etc.	„	ss.47,50.
Regulation of public assemblies and processions and of use of music in or near street	„	ss.48,50.
Destruction or detention of unmuzzled dogs	„	ss.49,50.
Power to take charge of stray cattle	„	s.56.
„ perform duties assigned to subordinate, and power to control subordinate	„	s.60.

For other powers and duties, see the appropriate heads in the Index.

4. Additional and Special Police.

Power to depute additional police-officers to keep the peace at cost of applicants	„	ss.22,24.
„ depute additional police to railway or other works, and recover cost	„	ss.23,24.
Appointment of persons to act as special police-officers; their powers, etc.	„	s.21.

See also DISTURBED DISTRICT.

5. Miscellaneous.

Penalties for not conforming to direction given by police	„	ss.65,68,71.
By what Magistrates offences cognizable	„	s.72.
Prosecution for certain offences to be in discretion of police	„	s.73.
Prosecutions under other laws not barred	„	s.74.
Disposal of rewards, etc., payable to police-officers	„	s.75.
Municipal and other local rates not payable by Government on houses, etc., occupied by police	„	s.77(*1*).
Duty of Municipality to provide accommodation for police	„	s.77(*2*),(*3*).
Proof of orders and notifications	„	s.78.
Irregularities not to vitiate proceedings	„	s.79.

POLICE—*cont.*

I.—ORDINARY POLICE—*cont.*

F.—BOMBAY DISTRICTS—*cont.*

5. Miscellaneous—*cont.*

No liability for acts done in good faith - - - - Bom.Act4,1890,s.80(1),(2).
Limitation of, and notice of, suits, etc., in respect of things done under Act - - - - - - - - „ s.80(3)to(5).
Application to, and suit against, Local Government for revision of order made by it under Act - - - - - - „ s.81.

G.—BOMBAY TOWN.

1. Preliminary.

Acts 13, 1856, and 48, 1860, repealed, except in Town of Bombay - Ben.Act4,1866,s.2. Mad.Act8,1867,s.81.
Definitions - - - - - - - - - Act13,1856,s.2(pt.rep. Acts16of1874,4of 1877,12 of1891).

2. Constitution and Government.

Constitution of force - - - - - - - Act13,1856,section7.
Administration to vest in Commissioner of Police; power to appoint Deputies - - - - - - - - „ ss.3,4,8.
Magisterial powers of Commissioner and his Deputies - - „ ss.5,6.
Power of Commissioner to make orders and regulations for government of force - - - - - - - „ s.8.
Appointment, pay and departmental punishment of police-officers - „ ss.3,4,10.
Penalty on police-officer for neglect of duty, etc. - - - „ s.12.
Certificate to be held by police-officer - - - - „ s.14,Sch., FormA.
Resignation of police-officer - - - - - - Act48,1860,s.3.
Penalty for not surrendering certificate, clothing, etc., on ceasing to be police-officers - - - - - Act13,1856,s.16.
„ for taking bribe - - - - - - Act48,1860,s.2.
Police Superannuation Fund:
Constitution and application of - - - - - Act13,1856,ss.17to19(am. Bom.Act1,1872, ss.2,4,5;Bom. Act2,1879). Bom.Act1,1872,ss.6,7(am. Bom.Act2,1879,s.2).
Crediting to, of fees levied in respect of, and proceeds of sale of, impounded animals - - - - - - Act48,1860,s.28. Bom.Act1,1872,s.3.
Police-officers not entitled absolutely to pension, etc., nor their heirs to gratuity, etc. - - - - - - - „ s.8.

3. Powers and Duties of Police-officers.

Police to serve criminal processes issued by Commissioner or Deputy Commissioner of Police - - - - - - - Act13,1856,section24.
Execution of warrants - - - - - - - „ s.25.
Power to inform pawnbroker, dealer in second-hand property, worker in metals or money-changer of stolen property; duties of such persons as to securing such property - - - - „ ss.68,69.

POLICE—*cont.*

I.—ORDINARY POLICE—*cont.*

G.—BOMBAY TOWN—*cont.*

3. Powers and Duties of Police-officers—*cont.*

Regulation of public assemblies and processions and of use of music in streets	Act 13, 1856, section 77.
Power to arrest without warrant; person arrested how to be dealt with	„ ss. 86, 90.
Power to take recognizance; recovery of sum due thereunder	„ ss. 91, 92, 107.
Power to take charge of, and deliver to persons entitled, moveable property of intestate worth less than Rs. 200; power to take security for due administration and distribution of such property	„ ss. 113, 114.
Destruction of stray dogs	„ s. 116.

For other powers and duties, see the appropriate heads in the Index.

4. Additional and Special Police.

Power to appoint additional constables to keep the peace at cost of applicants	„ s. 21.
Power to appoint special constables	„ s. 20.

5. Miscellaneous.

Penalty for assaulting or resisting police-officer in execution of his duty	Act 48, 1860, s. 7 (pt. rep. Act 16, 1895).
Actions and prosecutions for things done under Act 13, 1856, or Act 48, 1860: limitation; notice; tender of amends; costs, etc.	„ s. 29.

H.—MADRAS DISTRICTS.

1. Preliminary.

Act 24, 1859, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts	Act 15, 1874, s. 4.
„ „ to take effect in districts notified by Local Government	Act 24, 1859, section 55.
Definitions	„ s. 1 (am. Mad. Act 3, 1895, s. 2).

2. Constitution and Government.

Constitution of force	„ s. 8.
Superintendence to vest in Local Government	„ s. 4.
Administration vested in Inspector General, with subordinates	„ s. 5.
Magisterial powers of Inspector General and District Superintendent	„ s. 7.
Appointment, pay and departmental punishment of police-officers	„ ss. 5, 10.
Certificate to be held by police-officer	„ s. 11, Sch., Form A.
Resignation of police-officer	
Police-officer not to engage in other employment without express permission	„ s. 19.
Penalty for not surrendering certificate, clothing, etc., on ceasing to be police-officer	„ s. 20.
Power of Inspector General to issue orders and regulations as to organization, etc.	„ s. 9.
Penalty on police-officer neglecting duty, etc.	„ s. 44.

POLICE—*cont.*

I.—ORDINARY POLICE—*cont.*

H.—MADRAS DISTRICTS—*cont.*

2. Constitution and Government—*cont.*

Penalty on police-officer receiving unauthorized fee, etc.	Act 24, 1859, section 45.
„ „ committing extortion, etc.	„ s.46.
„ for offence against police-officer	„ s.47.
General Fund; constitution and application of	„ s.15.

3. Powers and Duties of Police-officers.

General powers	„ s.6.
„ duties	„ s.21.

For particular powers and duties, see the appropriate heads in the Index.

4. Additional and Special Police.

Power to depute additional police-officers to keep the peace at cost of applicants	„ ss.13,15.
„ appoint additional force in neighbourhood of railway or other works, and recover cost	„ ss.14,15.
Appointment of residents to act as special police-officers, under penalty; their powers, etc.	„ ss.16 to 18.

See also below, K.

5. Miscellaneous.

Penalty for personation of police, etc.	„ s.20.
Jurisdiction over offences	„ s.50.
Prosecution under other law not barred, but only one punishment allowed	s.51.
Recovery of fines	„ s.52. Mad. Act 5, 1865.
Limitation and notice of actions; tender of amends; no action where officer criminally prosecuted	Act 24, 1859, s.53.
Plea that act was done under warrant	„ s.54.
Contributions for maintenance of police in Tanjore	Mad. Reg. 1, 1816, ss.1 to 4, 6.

J.—MADRAS CITY.

1. Preliminary.

Definitions	Mad. Act 3, 1888, section 3.

2. Constitution and Government.

Constitution of force	„ s.9.
Administration to vest in Commissioner of Police; power to appoint Deputies and Assistants	„ ss.5,6.
Magisterial powers of Commissioner and his Deputies and Assistants	„ ss.7,8.
Power of Commissioner to make orders and regulation for government of force	„ s.10.
Appointment and departmental punishment of police-officers	„ ss.5,6,11.
Certificate to be held by police-officer	„ s.12.
Resignation of police-officer	„ s.13.
Surrender of certificate, clothing, etc., on ceasing to be police-officer	„ s.14.
Penalty for neglect of duty, etc.	„ s.15.

POLICE—*cont.*

I.—ORDINARY POLICE—*cont.*

J.—MADRAS CITY—*cont.*

2. Constitution and Government—*cont.*

Town Police Superannuation Fund; saving of privileges of subscribers to	Mad. Act 3, 1888,	section 4.
Employment in Madras City of police-officers appointed under Act 24, 1859	„	s. 16.

3. Powers and Duties of Police-officers.

General duties and powers of police-officers	„	s. 23.
Power to arrest without warrant	„	s. 24.
„ search for stolen property, without warrant	„	s. 26.
„ seize property where offence suspected	„	s. 27.
„ deliver list of stolen property to pawnbroker, dealer in second-hand property or worker in metals; duties of such persons as to securing such property	„	s. 28.
Destruction of straying and unmuzzled dogs	„	s. 29.
Power to take charge of, and deliver to persons entitled, moveable property of intestate worth less than Rs. 200	„	s. 30.
Act 10, 1882, ss. 523 to 525, applied to property seized or taken charge of by police	„	s. 31.
Regulation of public assemblies or processions and of use of music in streets	„	s. 41.
Impounding of stray animals	„	s. 60.
Powers on occurrence of fire	„	s. 61.
Expenses incurred by police for extinction of fires to be paid by Municipal Commissioners	„	s. 62.

For other powers and duties, see the appropriate heads in the Index.

4. Additional and Special Police.

Power to quarter additional police in disturbed part of City and recover cost from inhabitants	„	ss. 20, 22.
Power to appoint additional constables to keep the peace at cost of applicants	„	ss. 21, 22.
Power of Commissioner to appoint special constables; their powers, etc.; penalty for not serving, etc.	„	ss. 17 to 19.

See also below, K.

5. Miscellaneous.

License; penalty for breach of	„	s. 76.
„ fee for	„	s. 77.
Bye-laws; power to make	„	s. 78.
„ publication of	„	s. 79.
„ penalty for breach of	„	s. 80.
Limitation of actions and prosecutions for things done under Act	„	s. 81.
Prosecutions under other laws not barred, but only one punishment allowed	„	s. 82.

K.—MADRAS PORTS.

Power to apply Mad. Act 1, 1881, to ports, and power to withdraw Act from ports	Mad. Act 1, 1881,	ss. 1, 13, 14.
Power to apply Mad. Act 1, 1881, to passenger boats	„	s. 13.

POLICE—*cont.*

I.—ORDINARY POLICE—*cont.*

K.—MADRAS PORTS—*cont.*

Mad. Act 1, 1881, not to apply to mail-boats - - - Mad. Act 1, 1881, section 10.
Power to require owners of cargo-boats to levy charge for maintenance of special police; payment of sums levied to Government - „ ss.2,8,9
Police-officer to be carried on each cargo-boat; penalties - - „ ss.3 to 5.
Weekly return of trips made by boats; penalties - - - „ ss.6,7.
General powers of police-officers under Act - - - - „ s.11.
Code of Criminal Procedure to apply to fines and punishments awarded under Mad. Act 1, 1881 - - - - - „ s.12.

L.—OTHER PORTS.

Aden. *See* PORT COMMISSIONERS OR TRUSTEES, II, 7.
Chittagong. „ „ „ „ „ V, 7.
Karachi. „ „ „ „ „ VI, 7.
Rangoon. „ „ „ „ „ VIII, 7.

II.—CHAUKIDARS (WATCHMEN).

A.—AJMERE, NORTH-WESTERN PROVINCES, OUDH AND PUNJAB.

1. Preliminary.

Act 20, 1856 (Chaukidars), declared in force—
throughout the North-Western Provinces, except as regards the Scheduled Districts - - - - - Act 15, 1874, s.7.
in Oudh (with modifications, and with the exception of s. 40) - Act 18, 1876, s.3.
Act 22, 1871 (amending Act 20, 1856), declared in force in Oudh (with modifications, and with the exception of s. 6) - - „ s.3.
Act 20, 1856, repealed in—
municipalities in Ajmere - - - - - Reg. 5, 1886, s.17(2).
„ in North-Western Provinces and Oudh - - Act 15, 1883, s.17(2).
notified areas under District Boards in Punjab - - - Act 20, 1883, s.69.
Exclusion from authority of Local Boards in North-Western Provinces and Oudh areas in which Act 20, 1856, is in force - - Act 14, 1883, s.3(2).
Power to extend Act 20, 1856, to cantonments; Cantonment Magistrate to exercise powers of Magistrate; nature of tax to be levied under s. 10 - - - - - - - - Act 13, 1889, section 18.
Restriction of taxation under Act 13, 1889, in cantonment in which Act 20, 1856, is in force - - - - - - - „ s.19 (am. Act 12, 1891).
Definitions - - - - - - - - - Act 20, 1856, section 61.
Power to apply Act 20, 1856, to cities, stations, towns, suburbs or bazars, by notification - - - - - - „ s.2 (am. Act 22, 1871, s.1; Act 18, 1876, s.1).
Power to form unions and define limits of unions, cities, etc. - „ ss.3,4.

2. Appointment, Duties, etc., of Chaukidars.

Chaukidars:
Number, grades and wages of - - - - „ ss.7,8.
Appointment and registry of - - - - „ s.32.
Panchayet to report misconduct, death, etc., of - - - „ s.30.

POLICE—*cont.*

II.—CHAUKIDARS (WATCHMEN)—*cont.*

A.—AJMERE, NORTH-WESTERN PROVINCES, OUDH AND PUNJAB—cont.

2. Appointment, Duties, etc., of Chaukidars—*cont.*

Jemadars and inspectors for supervision and control of chaukidars :
Appointment of - - - - - - - Act20,1856,section33.
Chaukidars, jemadars and inspectors :
General powers and duties of - - - - - „ ss.50,51.
Power of, to arrest without warrant - - - - „ s.52.
Assistance to be given to, in effecting arrest - - - „ s.53.
Payment of - - - - - - - „ s.54.
When employed out of district for which appointed, not to be paid out of rates levied for that district - - - Act5,1861,s.21.
Penalty for misconduct or neglect of duty by - - - Act20,1856,section55.

3. Taxation for maintenance of Chaukidars.

All occupiers of houses liable to tax for maintenance of chaukidars - „ ss.4,5.
Naming of streets and numbering of houses for purposes of taxation - - - - - - - - - „ s.6.
Tax to be assessment on persons or rate on houses and grounds - „ s.10.
Sum to be raised how determined - - - - - - „ s.9.
Limitation of tax - - - - - - - - „ s.11(am.Act 22,1871,s.2).
Rate how to be ascertained - - - - - - „ s.12.
Panchayets for settling tax :
Constitution and duties of - - - - - „ ss.14to17,App. A(pt.rep.Act 22,1871,s.5), App.B.
Who to serve on - - - - - - - - „ s.26.
Penalty for not serving on - - - - - - „ s.24.
Duration of, and of service of members on - - - „ s.27.
Removal of members ; filling of vacancies - - - „ ss.28,29.
Assumption by Magistrate of duties of - - - - „ s.25.
Sadr panchayet ; appointment and duties of - - - „ s.31.
Publication of tax, as settled - - - - - - „ s.18,App.C(pt. rep.Act22, 1871,s.5).
Power to make exemptions - - - - - - - „ s.13.
Continuance of tax till revised - - - - - - „ s.19.
Appeal against tax - - - - - - - - „ s.20.
Revision of tax - - - - - - - - „ ss.21to23.
Register of persons and property taxed - - - - „ s.37.
Appointment of tax-collectors, etc.; security to be taken from them - - - - - - - - - „ s.34.
Collection of tax - - - - - - - - „ ss.38,40to49, App.D,E(ss. 38,41am.Act 22,1871,ss.3,4, Act12,1891;s. 40rep.inOudh, Act18,1876).
Remittance of collections to Magistrate - - - - „ s.39.

POLICE—*cont.*

II.—CHAUKIDARS (WATCHMEN)—*cont.*

A.—AJMERE, NORTH-WESTERN PROVINCES, OUDH AND PUNJAB—*cont.*

4. Miscellaneous.

Departmental punishment of officers - - - - - Act 20, 1856, section 55.
Chaukidari Fund : constitution of ; certain moneys to be credited to - - - - - - - - - - „ ss. 39, 57.
Appropriation of surplus funds to conservancy, lighting, etc. - „ s. 36.
Power of Magistrate to incur contingent expenses - - - „ s. 35.
Control by Commissioner and Local Government - - - „ s. 59.
Village Watchmen in Ajmere :
Power to establish system of village watchmen and to make rules as to their organization, duties, etc., and as to imposition of tax for payment of charges - - - - [1]Act 15, 1875, s. 2(39A).
Obligation to assist village watchmen - - - - „ s. 2(39B).
Power to direct discharge of duties of watch and ward in village or town by ordinary police, and imposition of taxes for payment of charges - - - - - - „ s. 2(39C).
Assessment and collection of such taxes - - - - „ s. 2(39D to 39F).
Restrictions on power to make rules ; penalty for breach of rules „ s. 3(50A, 50B).
Village watchmen in Punjab. *See* PUNJAB, 4.

B.—ASSAM[2] AND BENGAL.

Village Chaukidars.

1. Preliminary.

Ben. Act 6, 1870, to apply in districts or sub-divisions notified - Ben. Act 6, 1870, section 68.
Definitions - - - - - - - - - - „ s. 1(am. and pt. rep. Ben. Act 1, 1892, s. 2).

2. Appointment, Duties, etc., of Chaukidars.

Chaukidars :
Number and salaries of - - - - - - „ ss. 11, 12(am. Ben. Act 1, 1892, ss 7, 8).
Appointment and dismissal of - - - - - „ s. 35(am. Ben. Act 1, 1892, s. 11).
General duties of ; power to arrest - - - - „ s. 39, Sch. B(am. Ben. Act 1, 1892, ss. 13, 19).
Disposal of persons arrested by - - - - - „ s. 40.
Payment of - - - - - - - - - „ ss. 43, 44(am. Ben. Act 1, 1886, ss. 10, 11; Ben. Act 1, 1892, ss. 15, 16).
Realisation of pay of, from members of panchayet, and re-imbursement of such members - - - - - „ ss. 45(am. Ben. Act 1, 1886, s. 12; Ben. Act 1, 1892, s. 2), 46.

[1] Act 15, 1875, was extended to Ajmere by notification under the Scheduled Districts Act, 1874.
[2] Ben. Acts 6 of 1870, 1 of 1871, 1 of 1886 and 1 of 1892 have been extended, by notification under the Scheduled Districts Act, 1874, to the District of Goalpara in Assam.

POLICE—*cont.*

II.—CHAUKIDARS (WATCHMEN)—*cont.*

B.—ASSAM AND BENGAL—*cont.*

Village Chaukidars—cont.

2. Appointment, Duties, etc., of Chaukidars—*cont.*

Chaukidars—*cont.*:

Penalty for misconduct or neglect of duty by - - - - Ben.Act6,1870,sec.38(am. Ben,Act1,1892, s.2).

3. Taxation for maintenance of Chaukidars

All owners or occupiers of houses in village, etc., liable to assessment for maintenance of chaukidars - - - - „ ss.13,14(am.Ben. Act1,1892, ss.9,10).

Panchayets for settling tax:

Appointment of members of panchayet for village - - „ ss.3,5,7,9B(am. Ben.Act1,1886, s.6;Ben.Act1, 1892,ss.2,3,6).

Power to declare areas or groups of dwellings to be "villages" - „ s.4(am.Ben.Act 1,1892,s.5).

Removal of members of - - - - - - „ s.10(am,Ben.Act 1,1892,s.2).

Filling of casual vacancies among members of - - - „ s.6(am.Ben.Acts 1,1886,s.3,and 1,1892,s.2).

Penalty for not serving on panchayet - - - - „ s.8(am.Ben.Acts 1,1886,s.4,and1, 1892,s.2).

Term of office of members of - - - - - „ s.9(am.Ben.Act 1,1886,s.5).

Exemption from service on - - - - - „ s.9A(ins.Ben. Act1,1886,s.6).

Panchayet to impose annual assessment - - - „ s.13(am.Ben. Act1,1892,s.9).

Panchayet to control chaukidars; members to report offences in default of chaukidar - - - - - - „ s.41(am.Ben.Act 1,1886,s.9), Sch.B(am. Ben.Act1, 1892,s.19).

Assumption by District Magistrate of powers of - - „ s.62(am.Ben.Act1, 1892,s.18).

Assessment; nature and amount of - - - - - „ s.15.

„ time and form of; list of persons assessed - - „ s.16. Ben.Act1,1871,s.2.

„ revision of - - - - - - Ben.Act6,1870,ss.17,19, 20,47(am.Ben. Act1,1892,s.2).

„ commencement and duration of - - - - „ s.18. Ben.Act1,1871,section3.

„ continuance of existing - - - - - Ben.Act6,1870,section17.

„ payable quarterly in advance - - - - „ s.21(am.Ben.Act 1,1871,s.5).

POLICE—*cont.*

II.—CHAUKIDARS (WATCHMEN)—*cont.*

B.—ASSAM AND BENGAL—*cont.*

Village Chaukidars—cont.

3. Taxation for maintenance of Chaukidars—*cont.*

Assessment; collection of — Ben. Act 6, 1870, ss. 22, 25 to 34 (s. 22 am. Ben. Act 1, 1886, s. 7; s. 26 am. Ben. Act 1, 1871, s. 5; s. 30 am. Ben. Act 1, 1892, s. 2), Sch. A. Ben. Act 1, 1871, section 4.

„ appointment, powers and remuneration of tahsildar to assist in collecting — Ben. Act 6, 1870, secs. 46A, 46B (ins. and am. Ben. Act 1, 1886, s. 13; Ben. Act 1, 1892, ss. 2, 17).

„ reduction of, by amount of surplus collections — „ s. 24.

Chaukidari Fund; constitution of — „ s. 23.

4. Miscellaneous.

Chaukidari Chakaran lands:

Commission to determine what lands assigned for maintenance of officer to keep watch in village; appointment, powers and duties of — „ ss. 58 to 61.

Transfer of, to zamindar — „ ss. 48, 50, 51, Sch. C.

Right to service from occupier of land to cease on such transfer — „ s. 57.

Assessment of, and collection of assessment — „ ss. 49, 50, 52 to 56, Schs. C, D.

Saving as to certain lands — „ s. 67.

Application of Ben. Act 6, 1870, ss. 48 to 61, to lands assigned for benefit of municipality — (As.) Ben. Act 5, 1876, s. 375. Ben. Act 3, 1884, s. 364.

Delegation of District Magistrate's powers under Act — Ben. Act 6, 1870, s. 3A (ins. Ben. Act 1, 1892, s. 4).

District Chaukidari Reward Fund:

Fines to be credited to — „ s. 42 (am. Ben. Act 1, 1892, s. 14).

Control over, to rest with District Magistrate — „ s. 42 (am. Ben. Act 1, 1892, s. 14).

Actions for things done under Act: notice of; limitation of — „ s. 63 (am. Ben. Act 1, 1892, s. 2).

Control by Commissioner — „ s. 64 (am. Ben. Act 1, 1892, s. 2).

Power of Local Government to make rules — „ s. 65.

Zamindar's duty to report offences not affected by Act — „ s. 66.

Village Chaukidars in Angul (Bengal). *See* ANGUL, 6.

C.—BENGAL.

Village Watchmen.

Registration of — Ben. Reg. 20, 1817, s. 21 (1).

Subordination of, to darogha — „ s. 21 (2), (7).

Reports by — „ s. 21 (3) to (6).

POLICE—*cont.*

II.—CHAUKIDARS (WATCHMEN)—*cont.*

C.—BENGAL—*cont.*

Village Watchmen—cont.

Arrest by — Ben. Reg. 20, 1817, s. 21(5).
Punishment of — „ s. 21(7).
To be employed only on police duties — „ s. 21(8).
To work with regular police-officers and private watchmen — „ s. 21(9).
To resist and apprehend offenders; assistance to be afforded them by villagers — „ s. 21(10).
Ben. Reg. 20, 1817, s. 21, repealed—
in villages to which Ben. Act 6, 1870, applies and in which a chaukidar is appointed — Ben. Act 6, 1870, s. 2. Ben. Act 1, 1871, s. 1.
in places to which Ben. Act 5, 1887, applies — Ben. Act 5, 1887, s. 38.

D.—CENTRAL PROVINCES.

Village Watchmen. *See* LAND-REVENUE, XI, 4 (*c*).

III.—RURAL POLICE.

A.—ASSAM.

Reg. 1, 1883, extends to Sylhet and Cachar Districts and may be applied to other districts — Reg. 1, 1883, section 1.
Definitions — „ s. 2.
Rural police-circles and beats: constitution of — „ ss. 4, 5.
Panchayet; appointment of, for each police-circle — „ s. 6.
Policemen:
One to be appointed for each beat — „ s. 5.
Procedure for appointment of — „ ss. 7 to 9.
Departmental punishment of — „ s. 10.
Payment of, by owners or occupiers of houses; recovery of contributions when not paid — „ ss. 12 to 17.
General duties and powers of; arrest by — „ s. 18 (am. Act 5, 1897, s. 3), Sch.
Resignation of — „ ss. 19, 20.
Penalty on, for cowardice, misconduct or neglect of duty — „ s. 20.
Authority required for institution of prosecution against —
Delegation of Deputy Commissioner's powers — „ s. 21.
Landholders' duty to report offences not affected by Reg. 1, 1883 — „ s. 23.
Local Government; control by — „ s. 22.
„ „ power of, to make rules — „ ss. 24, 25.

B.—BOMBAY PRESIDENCY. (VILLAGE POLICE).

Definitions — Bom. Act 8, 1867, s. 1 (am. Bom. Acts 3, 1886, 1, 1891, s. 2), s. 22.
Administration of police in whom vested — „ ss. 3, 5(1).
Delegation of Magistrate's authority over, to District Superintendent of Police — „ s. 4.

POLICE—*cont.*

III.—RURAL POLICE—*cont.*

B.—BOMBAY PRESIDENCY (VILLAGE POLICE)—*cont.*

Police Patels:

Appointment, powers and general duties of	Bom. Act 8, 1867,	ss. 5 to 8.
Report and investigation by, when perpetrator of crime unknown or escaped	„	s. 10.
Inquests to be held by	„	s. 11.
Arrest by; disposal of person arrested	„	s. 12.
Power of, to take evidence and make search	„	s. 13.
„ to punish for petty assault or abuse	„	s. 14.
Judicial powers exerciseable by, in criminal cases, on commission from Magistrate	„	ss. 14 to 18.
Partial and local repeal of Bom. Act 8, 1867, s. 16	Bom. Act 1, 1889,	s. 3.
Duty of, to take charge of unclaimed property	Bom. Act 8, 1867,	s. 19.
Temporary succession to, in case of illness, etc.	„	s. 21.
Exercise of powers of, in Sindh, by village-officer	Bom. Act 4, 1881,	s. 5.
Punishment of police patel or member of village police establishment for neglect of duty, etc.	Bom. Act 8, 1867, ss. 9, 9A (am. Bom. Act 1, 1876, ss. 2, 3).	
Prosecutions under other laws not barred, but only one punishment allowed	„	s. 20.

C.—LOWER BURMA.

Classes of	Act 2, 1880,	section 12	(rep. locally, Act 3, 1889, s. 1).
Appointment, etc., of	„	s. 13	
Duties and powers of	„	ss. 14 to 17	
Penalties on	„	s. 18	
Prosecutions and suits against; restrictions on	„	ss. 18 to 20	
Power to fine inhabitants not assisting in preventing dacoity or robbery or in arresting offenders	„	s. 21	
Funds for maintenance of	„	s. 9 (am. Act 3, 1889, s. 4).	
Powers and duties of, and control over, Revenue-officers	„	ss. 22, 23.	
Power of Local Government to make rules	„	s. 24.	
Ss. 2 to 13 of Act 13, 1889, not to come into force till notified	Act 3, 1889,	section 1.	
Definitions	„	s. 2.	
Appointment of	„	s. 3 (4).	
Penalty for breach of duty, etc., by	„	s. 8.	
Obligation of villagers to assist	„	s. 9.	
Protection of emoluments of	„	s. 18.	
Restriction on prosecution of	„	s. 19.	
Revision of and finality of orders under Act 3, 1889	„	s. 20.	
Delegation of Deputy Commissioner's powers	„	s. 21.	
Power of Local Government to make rules	„	s. 22.	
Act 3, 1889, to take effect notwithstanding other enactments	„	s. 23.	

D.—CHOTA NAGPUR DIVISION (BENGAL).

1. Preliminary.

Ben. Act 5, 1887, extends to Hazaribagh and Lohardaga Districts, and may be applied by notification to other districts	Ben. Act 5, 1887,	section 1.
Definitions	„	s. 2.

POLICE—*cont.*

III.—RURAL POLICE—*cont.*

D.—CHOTA NAGPUR DIVISION (BENGAL)—*cont.*

2.—Village Police.

Division of district into circles, and appointment of tahsildar for each	Ben. Act 5, 1887	section 3.
Number, appointment and dismissal of village-policemen	„	ss. 3, 4, 31.
Salaries of policemen:		
Rate of	„	s. 5.
When payable by zamindar or under-tenure-holder	„	s. 6.
Raising of, by assessment on village; collection of assessment	„	ss. 7 to 13, 15 to 21, Sch. A.
Payment of	„	s. 14.
General duties of; arrest by	„	s. 22, Sch. B.
Disposal of persons arrested by	„	s. 23.
Penalty on, for unlawful resignation or for cowardice	„	s. 32.
„ for misconduct or neglect of duty	„	s. 33.

3.—Road Patrols.

Preparation of list of zamindars and under-tenure-holders bound to protect roads or passes	„	s. 24.
Appeal against entries in such list	„	s. 25.
Number and salary of	„	s. 24.
Appointment and dismissal of	„	s. 31.
Payment of salary of, and recovery of amount from zamindar, etc.	„	ss. 27 to 29.
Payment by, to zamindar, etc., of rent for land held in lieu of or in addition to salary	„	s. 26, Sch. C.
General duties of; arrest by; disposal of persons arrested by	„	s. 30, Sch. B.
Penalty on, for unlawful resignation or for cowardice	„	s. 32.
„ for misconduct or neglect of duty	„	s. 33.

4. Miscellaneous.

Limitation of suits for things done under Act	„	s. 34.
Delegation of functions of Deputy Commissioner	„	s. 35.
Service of notices	„	s. 36.
Landholders' duty to report offences not affected by Act	„	s. 37.

E.—CUTTACK AND MIDNAPUR (BENGAL).

In certain cases, landholders to act as police-officers; in others, separate police-officers to be appointed; salaries	Ben. Reg. 13, 1805	section 4.
Continued holding of lands for support of paiks; subordination of paiks to daroghas; dispossession of lands for misconduct; dismissal of paiks and filling of vacancies	„	s. 5.
Register of paiks	„	s. 6.
„ lands assigned for support of police	„	s. 10.
Daroghas to fix limits of local authority of subordinate police	„	s. 7.
Regulation not to affect landholders' duty to assist in preventing offences, and apprehending offenders	„	s. 8.
„ „ apply to village watchmen kept by landholders	„	s. 11.
General law as to maintenance of police to have effect in	„	s. 13 (pt. rep. Act 11, 1893).

POLICE—*cont.*

III.—RURAL POLICE—*cont.*

F.—NORTH-WESTERN PROVINCES.

1. Police-powers of Tahsildars.

Ben. Reg. 11, 1831, ss. 2, 5 and 6, declared in force throughout the N.-W. Provinces, except as regards the Scheduled Districts	Act15,1874,s.7andSch.5. (am.Act12, 1891).
„ „ „ extended to Benares	Act16,1854,s.3.
Act 16, 1854, declared in force throughout the N.-W. Provinces, except as regards the Scheduled Districts	Act15,1874,s.7.
Power of Local Government to invest tahsildars with powers of police-daroghas	Ben.Reg.11,1831,s.2(am. Act16,1854, s.3).
Employment of chuprassies, etc., by tahsildars so invested	„ s.5.
Subordination of police-daroghas to tahsildars so invested	Act16,1854,s.2.
Publication of statement of establishments, etc.	Ben.Reg.11,1831,s.6.

2. Village and Road Police.

Appointment of village police	Act16,1873,ss.3to6.
„ road police	„ s.7.
Duties of; power to make arrests	„ s.8.
Disposal of persons arrested by	„ s.9.
Punishment of	„ ss.10,11.
Fines to be credited to appointed Fund	„ s.12.
Control by Commissioner	„ s.13.
Power of Local Government to make rules	„ s.14.

G.—OTHER PROVINCES.

Madras. *See* VILLAGE, F, 1.
Oudh. *See* OUDH, 5.

IV.—MILITARY POLICE.

A.—ANDAMAN AND NICOBAR ISLANDS.

Definitions	Reg.2,1888,s.2,Sch.
Enrolment and discharge of officers	„ s.3,Sch.
Classes and grades of officers	„ s.4.
Punishments	„ ss.5,6.
„ departmental	„ s.7.
Place of imprisonment	„ s.8.
Magisterial powers of Commandant	„ s.9.

B.—ASSAM.

Definitions	Reg.4,1890,sec.3.
Enrolment and discharge of officers	„ s.10,Sch.
Punishments	„ ss.4to6.
„ departmental	„ s.7.
Place of imprisonment	„ s.8.
Magisterial powers of Commandant	„ s.9.

C.—BENGAL.

Definitions	Act5,1892,s.2,Sch.
Enrolment and discharge of officers	„ s.3,Sch.

POLICE—*cont.*

IV.—MILITARY POLICE—*cont.*

C.—BENGAL—*cont.*

Classes and grades of officers - Act 5, 1892, section 4.
Punishments - „ ss. 5, 6.
„ departmental - „ s. 7.
Place of imprisonment - „ s. 8.
Prosecutions under other laws not barred, but only one punishment allowed - „ s. 9.
Magisterial powers of Commandant - „ s. 10.
Commandant and Second-in-Command:
Disciplinary powers of, over other than military police-officers - „ s. 11.
Special privileges of - „ s. 12.
Power of Local Government to make orders and rules - „ s. 13.
Quasi military police, Chittagong Hill Tracts Frontier. *See* FRONTIER, D, 2.

D.—BURMA.

Act 15, 1887, applies *proprio vigore* to whole of Burma except the Shan States [1] - Act 15, 1887, s. 1.
Definitions - „ s. 3, Sch.
Enrolment and discharge of officers - „ s. 4, Sch.
Grades of officers - „ s. 5.
Punishments - „ ss. 6 to 8.
„ departmental - „ s. 9.
Place of imprisonment - „ s. 10.
Magisterial powers of Commandant - „ s. 11.
Commandant and Second-in-Command:
Disciplinary and other special powers of - „ s. 12.
Special privileges of - „ s. 13.
Power of Local Government to make orders and rules as to organization, etc. - „ s. 14.

V.—MISCELLANEOUS.

Police in cantonments. *See* CANTONMENT, 1.
Police in municipalities:
Aj., L. B., C. P. *See* MUNICIPALITY, II, 5.
U. B. „ „ III, 5.
As. „ „ IV, 5; V, 5.
Ben. Districts. „ „ V, 5.
Cal. „ „ VI, 5.
Bom. Districts. „ „ VII, 5.
„ City. „ „ VIII, 5.
Coorg and N.-W. P. „ „ IX, 5.
N.-W. P. and Oudh. „ „ X, 5.
Mad. Districts. „ „ XII, 5.
„ City. „ „ XIII, 5.
Punjab. „ „ XIV, 5.
Frontier Police, Chittagong Hills. *See* FRONTIER, D, 2.
Police on Punjab Frontier. „ „ E, 3.
Certain police in Ajmere. *See* AJMERE, 3, 4.

[1] Act 15, 1887, has been extended to the Shan States by notification.

POLICY OF INSURANCE.
Fire:
Transferee's right under - - - Act4,1882,s.49.
Fire or Marine:
Rights under policy to vest in assignee - - - - Act5,1866,s.15.
Act 5, 1866, declared in force throughout British India, except as regards the Scheduled Districts - - - - } Act15,1874,s.3.
Marine:
Requisites to validity of; stamp duty on - - - } Act1,1879,s.7A(ins.Act6, 1894,s.2),Sch.I,No.49 (am.Act1,1888,s.2; Act6,1894,ss.3,4).
Life. *See* MARRIED WOMAN.
POONA DISTRICT. *See* DEKKHAN, ETC., 1.
PORAHAT ESTATE ACT, 1893 - - - - - - Act2,1893.
PORAHAT ESTATE.
To form part of the Singbhum District, and to be a Scheduled District - - - - - - - - - } Act2,1893,ss.2,3.
Validation of past proceedings in - - - - - „ s.4.
PORT ACT (CALCUTTA), 1890. (*See* PORT COMMISSIONERS) - - Ben.Act3,1890.
PORTS ACT (INDIAN), 1889. (*See* PORT) - - - - Act10,1889.
PORT.

I.—GENERAL.

1867. Ben. Act 3 (Crews; police-charges).
1878. Act 8, ss. 11 to 14 (Sea Customs).
1879. Act 15, s. 3 (Rangoon Port Commissioners).
1882. Bom. Act 7, s. 5 (Landing and Shipping Fees).
1886. Bom. Act 6, ss. 3, 28, 54 (Karachi Port Trustees).
„ Mad. Act 2, s. 25 (Madras Harbour Trustees).
1887. Ben. Act 4, s. 3 (Chittagong Port Commissioners).
1888. Bom. Act 5, ss. 3, 26, 51 (Aden Port Trustees).
„ Mad. Act 3, s. 3 (Landing and Shipping Places).
1889. Act 10 (Ports).
1890. Ben. Act 3, ss. 123, 124 (Calcutta Port Commissioners).
1891. Act 5 (Port rules).

1. Preliminary.
2. Appointment and fixing of limits of Ports.
3. Port Officials and their powers and duties.
4. Safety of Shipping and Conservation of Ports.
5. Port Dues, Fees and Charges.
6. Miscellaneous.

II.—LANDING AND SHIPPING PLACES IN PORTS.

1863. Mad. Act 5 (Piers).
1871. Mad. Act 7 (Piers).
1882. Bom. Act 7 (Landing and Shipping Fees).
1885. Mad. Act 3 (Landing and Shipping Places).

A.—Bombay Ports.
B.—Madras Outports.
C.—Madras Piers.

I.—GENERAL.

1. Preliminary.

Ports to which Ports Act, 1889, extends *proprio vigore* - - } Act10,1889,s.1(3).Sch.I (am.Act2, 1894).

PORT—*cont.*

I.—GENERAL—*cont.*

1. Preliminary—*cont.*

Power of Local Government to extend Ports Act, 1889, to ports and withdraw Act therefrom	Act10,1889,s.4.
Sea Customs law, and certain ships and rights, not affected by Ports Act, 1889	„ s.1(4).
Definitions. (*See also* WORDS AND PHRASES)	„ ss.3,4(4). Act5,1891,s.3. Ben.Act3,1867,s.1.
Ben. Act 3, 1867, to be construed as part of Ports Act, 1889	Ben.Act3,1867,s.19[am. Act10,1889,s.2(3)].

2. Appointment and fixing of limits of Ports.

Appointment and fixing of limits of ports for purposes of Sea Customs Act, 1878	Act8,1878,ss.11to14.
Limits to be defined in extending Ports Act, 1889, to port	Act10,1889,s.4(2)to(4).
Power to alter limits of ports in which Ports Act, 1889, is in force	„ s.5.
Power to define limits of port for purposes of—	
Aden Port Trust Act	Bom.Act5,1888,s.3.
Bombay Landing and Wharfage Fees Act	Bom.Act7,1882,s.5(*a*).
Chittagong Port Commissioners Act	Ben.Act4,1887,s.3.
Karachi Port Trust Act	Bom.Act6,1886,s.3.
Madras Outports Landing and Shipping Fees Act	Mad.Act3,1885,s.3(*1*).
Rangoon Port Commissioners Act	Act15,1879,s.3.

3. Port Officials and their powers and duties.

Appointment, suspension, control and removal of Conservator	Act 10, 1889, section 7.
Subordination of harbour-master to Conservator	„ s.7(3).
Power of Conservator—	
to give directions for carrying out port-rules	„ s.8.
to cut warps and ropes	„ s.9.
to remove obstructions and sell materials	„ ss.10,11,64.
to raise, remove or destroy wrecked vessel	„ s.14.
Duty of Conservator to remove unlawful obstructions; compensation	„ s.12.
„ „ to assist in clearing vessel fouling Government mooring	„ s.13.
Power of Conservator and others to board vessels or enter buildings, etc.	„ s.15.
Power of Conservator or Port Officer to require crews to prevent or extinguish fire	„ s.16.
Health Officer: appointment, suspension, removal and powers of	„ s.17.
Powers of Conservator exerciseable by other officials under his control	„ s.68(*1*).
Power of officials to call assistance	„ s.68(*2*).
Indemnity to Government against act or default of port official or pilot, etc.	„ s.18.
Application of Calcutta Port Act, 1890, to works executed by Calcutta Port Commissioners as Conservators under Ports Act, 1889	Ben.Act3,1890,s.123(2).

4. Safety of Shipping and Conservation of Ports.

Penalty for injuring, etc., buoy, etc.	Act10,1889,s.19.

PORT—*cont.*

I.—GENERAL—*cont.*

4. Safety of Shipping and Conservation of Ports—*cont.*

Penalty for unlawfully loosening vessel from moorings	Act10,1889,section20.
„ „ improperly discharging ballast, etc.	„ ss.21,64.
„ „ unlawfully graving vessel	„ s.22.
„ „ „ boiling, etc., pitch, etc.	„ s.23.
„ „ drawing spirits by unprotected artificial light	„ s.24.
Warping	„ ss.25,26.
Penalty for unlawfully discharging firearm	„ s.27.
„ on master omitting to take order to extinguish fire	„ s.28.
„ for unlawful creeping, sweeping for anchors, etc.	„ s.29.
„ for unlawfully removing stones, etc., or injuring shores, of port	„ s.30.
„ for moving vessels of certain tonnage without pilot or permission of harbour-master	„ s.31.
Vessels of certain tonnage to be provided with fire-extinguishing apparatus	„ s.32.
Ss. 31 and 32 to apply only to ports to which specially extended	„ ss.1(5),4(5).
Penalty for not having sufficient crew on vessel lying in port; exceptions	Ben.Act3,1867,ss.2to6, Schs.I,II.
Power of Local Government to make port-rules	Act10,1889,s.6(am.Act5, 1891,s.1,Act4,1896).
Validation of past rules	Act5,1891,s.2.

5. Port Dues, Fees and Charges.

Port dues imposed; power of Local Government to declare what vessels chargeable, highest rates leviable, and times at which vessels chargeable	Act10,1889,s.33,Sch.I (am.Act2, 1894).
Power of Local Government to exempt vessels from port-dues or vary rates	„ s.34.
Power to charge fees for pilotage and certain other services	„ s.35.
Receipt, expenditure, and account of port-charges; Port Fund; temporary investment of balances unappropriated by local law	„ s.36.
Portion of port-dues leviable in Moulmain and Bassein to be applicable to defraying expenses of maintaining port-lights of Burma	„ s.65.
Grouping of ports for purposes of Port Fund	„ s.37.
Receipts to be given on payment of port-charges	„ s.38.
Master to report arrival of vessel liable to port-dues	„ s.39.
Power of Conservator to ascertain draught of vessel for purposes of payment of port-dues	„ s.40.
Tonnage of vessels how to be ascertained for purposes of payment of port-dues	„ s.41.
Recovery of port-charges	„ ss.42to44.
Penalty for evading payment of port-charges; proof of evasion; jurisdiction	„ s.45.
Reduction of port-dues in case of vessels arriving in ballast or not discharging or taking in cargo	„ ss.46,47.
Port-due not chargeable on— vessel entering port in Madras Presidency and leaving without discharging or taking in passengers or cargo	„ s.47,prov.

PORT—*cont.*

I.—GENERAL—*cont.*

5. Port Dues, Fees and Charges—*cont.*

Port-due not chargeable on—*cont.*
pleasure-yacht, or vessel re-entering port on account of stress of weather or damage — Act 10, 1889, s. 48.

Power of Local Government—
to charge cost of police on Port Fund of port in or abutting on municipal town — Ben. Act 3, 1867, ss. 8, 9.
to impose police port-dues — ,, s. 10, Sch. III.

Hospital port-dues:
Power of Local Government to impose, and to exempt certain vessels from payment of — Act 10, 1889, s. 49.
Power of Local Government to impose — Ben. Act 3, 1867, s. 10, Sch. III.
Application of; account of — Act 10, 1889, s. 50.

Power to compound for dues imposed under Ben. Act 3, 1867; power of Local Government to vary such dues; imposition or increase of such dues when to take effect — Ben. Act 3, 1867, ss. 14 to 16.

Port dues, fees and charges received by Calcutta Port Commissioners under Ports Act, 1889, to be included in their estimates and accounts — Ben. Act 3, 1890, s. 123(*I*).

Charge to which Calcutta Port Commissioners are liable in respect of port-dues and fees deemed to be included in debt to Government — ,, s. 124.

Transfer of moneys to—
Aden Port Trustees — Bom. Act 5, 1888, ss. 26, 51.
Karachi Port Trustees — Bom. Act 6, 1886, ss. 28, 54.
Madras Harbour Trustees — Mad. Act 2, 1886, s. 25 (am. Mad. Act 3, 1886, s. 2).

6. Miscellaneous.

Hoisting of signals on vessel arriving within signal distance of signal station in river Hooghly or in other river or channel leading to port — Act 10, 1889, ss. 51 to 53.
Hoisting unlawful colours in port — ,, s. 62.
Arrest of foreign deserter — ,, s. 63.
Grant of sites for sailors' institutes — ,, s. 67.
Penalty for disobeying rule or order of Local Government — ,, s. 54.
Offences by whom triable, and penalties how recoverable — ,, s. 55. Ben. Act 3, 1867, s. 17.
Payment by offender of costs of conviction — Act 10, 1889, s. 56.
Application of fines — Ben. Act 3, 1867, s. 18.
Ascertainment and recovery of expenses, damages, etc. — Act 10, 1889, s. 57.
Costs of distress — ,, ss. 58, 59.
Determination of amount leviable by distress — ,, s. 59.
Exercise of jurisdiction in respect of offence committed beyond local limits of jurisdiction — ,, s. 60.
Conviction, etc., to be quashed on merits only — ,, s. 61.
Service of written notices or directions — ,, s. 69.
Publication of orders, etc., of Local Government — ,, s. 70.
Obstructions to navigation in fairways leading to ports. *See* FAIRWAYS.

PORT—*cont.*

II.—LANDING AND SHIPPING PLACES IN PORTS.

A.—Bombay Ports.

Act applies only to ports to which it is extended by Local Government	Bom.Act7,1882,sec.2(am. Act16,1895).
Power to define limits of port, determine the landing-places to which Act shall apply and define their limits, and withdraw Act from ports	„ s.5(*a*)to(*d*).
Definitions	„ s.4(rep.in pt. Act16,1895).
Power to fix fees for use of landing-places, etc., and to exempt goods, etc., from payment of fees	„ s.5(*e*).
Exhibition of table of fees	„ s.8.
Power to make bye-laws as to use and management of landing-places, etc.	„ s.9.
Application of fees	„ s.10.
Functions under Act by whom to be discharged	„ s.6.
Powers, privileges and liabilities of persons executing Act	„ s.7.

B.—Madras Outports.

Act applies to outports in which it is declared in force by Local Government	Mad.Act3,1885,s.1.
Definitions	„ s.3.
Landing and shipping fees to be levied	„ ss.4,5.
Power to make rules as to fees	„ s.6.
Appointment of persons to levy fees	„ s.7.
Recovery of fees	„ s.8.
Penalty for evading payment of fees or for breach of rule	„ s.9.

C.—Madras Piers.

Power to extend Mad. Act 5, 1863, and Mad. Act 7, 1871, to piers other than the Madras Pier, to which alone the former Act *proprio vigore* applies	Mad.Act7,1871,s.7.
Mad. Act 7, 1871, to be read as part of Mad. Act 5, 1863	„ s.8.
Definitions	Mad.Act5,1863,s.16. Mad.Act7,1871,s.1.
Levy of tolls for use of pier	Mad.Act5,1863,ss.1,2.
Appointment of toll-keeper and establishment	„ s.3.
Recovery of tolls	„ s.8.
Penalty for—	
illegal collection of toll	„ s.4.
non-payment of toll, etc.	„ s.5.
unlawfully damaging pier	„ s.6.
„ cutting adrift, etc., boat, etc., made fast to pier	„ s.7.
Recovery of fines and of damages for fouling of pier by vessel	„ ss.9,10.
„ damages for injury to pier by drift	Mad.Act7,1871,ss.2to6.
Power to lay rails or tramways across road between pier and custom-house, and to erect gates, etc.; penalty for forcing gates	Mad.Act5,1863,ss.11, 12.
Power to remove obstructions in or near approaches to pier	„ s.13
„ make bye-laws as to pier	„ s.14.
Cognizance of offences	„ s.15.

PORT COMMISSIONERS ACT (CHITTAGONG), 1887 - - - Ben.Act4,1887.
„ „ „ (RANGOON), 1879 - - - Act15,1879.

PORT COMMISSIONERS OR TRUSTEES.

1878. Act 8, ss. 85, 207 (Sea-Customs).
1879. Act 11, s. 8 (Local Authorities Loans).
„ Act 15 (Rangoon Port Commissioners).
„ Bom. Act 6 (Bombay Port Trustees).
1880. Ben. Act 3 (Howrah Bridge, etc.).
1884. Act 17, s. 60 (Lower Burma Municipalities).
1886. Bom. Act 6 (Karachi Port Trustees).
1886. Mad. Act 2 (Madras Harbour Trustees).
1887. Ben. Act 4 (Chittagong Port Commissioners).
1888. Bom. Act 5 (Aden Port Trustees).
1890. Ben. Act 3 (Calcutta Port Commissioners).

I.—GENERAL - - - - .....
II.—ADEN PORT TRUSTEES - - } 1. Preliminary.
III.—BOMBAY PORT TRUSTEES - - } 2. Constitution of Commissioners or Board of Trustees.
IV.—CALCUTTA PORT COMMISSIONERS - } 3. Rights, Powers and Duties of Commissioners or Board of Trustees.
V.—CHITTAGONG PORT COMMISSIONERS - } 4. Finance.
VI.—KARACHI PORT TRUSTEES - - } 5. Conduct of Business.
VII.—MADRAS HARBOUR TRUSTEES - } 6. General Powers of Official Control.
VIII.—RANGOON PORT COMMISSIONERS - } 7. Miscellaneous.

I.—GENERAL.

Power of Customs Collector to permit master to discharge cargo into custody of ship's agents for landing at landing-place or wharf belonging to Port Commissioners or Port Trust; goods not to be removed from such landing-place or wharf without order from Customs Collector - - - - - Act8,1878,section85.

Sea Customs Act, 1878, not to affect laws relating to Port Commissioners or Trustees - - - - - - „ s.207(am.Act 9,1885,s.6).

Local Authorities Loan Act, 1879, not to affect borrowing powers of Port Commissioners or Trustees, or their power to guarantee payment of interest - - - - - - Act11,1879,s.8(am.Act15, 1885).

See also LOCAL AUTHORITY.

II.—ADEN PORT TRUSTEES.

1. Preliminary.

Definitions - - - - - - - - Bom.Act5,1888,ss.2,66(3).
Power to define limits of port - - - - - „ s.3.

2. Constitution of Board of Trustees.

Incorporation of Board - - - - - - „ s.4.
Board how constituted - - - - - - „ s.5.
Ex-officio trustees and Chairman - - - - - „ s.6.
Appointment and term of office of other trustees; filling of casual vacancies - - - - - - - - „ ss.7,8,10to12.
Disqualifications of trustees - - - - - - „ s.13.
Remuneration of trustees - - - - - - „ s.14(am.Bom. Act1,1895,s.1).
Duties of Chairman - - - - - - - „ s.18.

3. Rights, Powers and Duties of Board of Trustees.

Administration vested in Board - - - - - - „ s.4.
Property; power of Board to acquire, hold and transfer - - „ s.23.

PORT COMMISSIONERS OR TRUSTEES—*cont.*

II.—ADEN PORT TRUSTEES—*cont.*

3. Rights, Powers and Duties of Board of Trustees—*cont.*

Property; acquisition of, by Local Government for Board	Bom.Act5,1888,section24.
„ transfer of, to Board	„ s.25(am.Bom. Act1,1895,s.2), Sch.A(am.Bom. Act1,1895,s.7). Sch.C(ad.Bom. Act1,1895,s.7).
„ saving of right of Her Majesty to bed of the sea	„ s.25A(ins.Bom. Act1,1895,s.3).
Transfer to Board of liabilities of Aden Port Fund	„ s.26.
Works to be constructed and carried out	„ s.27.
Provision, etc., of landing-places and bathing places	„ ss.28,29.
Shipping and landing of goods into and from sea-going vessels and inland vessels	„ ss.30to34,Sch.B.
Setting apart of wharves, etc., for use under Sea Customs Act, 1878	„ ss.35,36.
Prohibition of erection of private wharves, etc., without permission of Board	„ ss.37to39.
Power to remove to warehouse goods left on or in wharf or shed belonging to Board	„ s.46.
Maintenance and control of pilots	„ s.52.
Power to make bye-laws	„ ss.53to56.
Recovery of compensation for damage done to property of Board	„ s.73(am.Bom.Act 1,1895,s.6).

4. Finance.

Transfer to Board of—	
debts incurred on account of, and sums due to, Aden Port Fund	„ s.26.
moneys credited under the Indian Ports Act to the Aden Port Fund	„ s.51.
Tolls, rates and charges:	
Imposition of	„ ss.40(*1*),(2),46.
Exemption of troops, etc., from	„ s.40(*3*).
Power of Local Government to remit	„ s.41.
Collection of; farming and compounding	„ s.42.
Power to make bye-laws as to mode of collection of	„ s.53(*d*).
Recovery of	„ ss.48to50,82.
Collection of, by Board at wharf, etc., set apart for use under Sea Customs Act, 1878	„ s.36.
Penalties for evading payment of	„ ss.71,72.
Power of Local Government to increase rates, etc.	„ s.79.
Pilotage fees	„ s.52.
Custody of money; disbursements	„ s.57(am.Bom.Act 1,1895,s.4).
Application of funds	„ s.58(am.Bom.Act 1,1895,s.5).
Investment of funds	„ s.66.
Estimates	„ ss.59to64.
Audit of accounts	„ s.65.

PORT COMMISSIONERS OR TRUSTEES—*cont.*

II.—ADEN PORT TRUSTEES—*cont.*

5. Conduct of Business.

Meetings; transaction of business; appointment and proceedings of Committees; vacancies and irregularities not to invalidate proceedings — Bom.Act5,1888,s.15.
Contracts; plans and estimates for works — „ ss.16,27.
Power to compound for claims — „ s.17.
Officers and servants — „ ss.19,20(am. Act16,1895), ss.21,22.

6. General Powers of Official Control.

Power of Local Government—
to order survey — „ s.76.
to restore, complete or construct work in default of Board — „ s.77.
to increase rates, etc. — „ s.79.
to revoke Board's powers — „ s.80.
Power of Local Government or Political Resident to prohibit execution of order affecting defensibility of port or security or sanitary condition of garrison — „ s.78.

7. Miscellaneous.

Police; payments for — „ s.58(*c*)[am. Bom.Act1, 1895,s 5].
Penalties for certain offences — „ ss.67to70.
Cognizance of offences; fines, etc., to be paid to Board — „ s.74.
Initiation of prosecutions — „ s.75.
Recovery of money due to Board — „ s.82.
Liability of Trustees for breach of trust, etc. — „ ss.83,84.
Suits: notice of; limitation; tender of amends — „ s.85.
Indemnity to Board for acts of harbour-master, etc. — „ s.86.

III.—BOMBAY PORT TRUSTEES.

1. Preliminary.

Definitions — Bom.Act6,1879,s.3(rep.in pt.Bom.Act3, 1886),s.4.

2. Constitution of Board of Trustees.

Incorporation of Board — „ s.4.
Board how constituted — „ s.5.
Election, nomination, term of office and retirement of trustees; filling of casual vacancies; disqualifications of trustees — „ ss.6to10, 11to14.
Chairman — „ ss.5,7,11,19,20.
Remuneration of Chairman and trustees — „ s.15.

3. Rights, Powers and Duties of Board of Trustees.

Administration vested in Board — „ s.4.
Property; power of Board to acquire, hold and transfer — „ s.26.
„ acquisition of land by Local Government for Board — „ s.27.

PORT COMMISSIONERS OR TRUSTEES—*cont.*

III.—BOMBAY PORT TRUSTEES—*cont.*

3. Rights, Powers and Duties of Board of Trustees—*cont.*

Property; transfer of, to Board — Bom.Act6,1879,ss.28,29, Sch.A
„ saving of power of Government to acquire property of Board under Land Acquisition Act — „ s.32.
Landing and shipping of goods — „ s.45
Procuring and maintaining steam-vessels for towage — „ s.46.
Board to provide for fulfilment of its liabilities — „ s.59.
Works to be undertaken — „ s.68.
Setting apart wharves, etc., for use under Sea Customs Act, 1878 — „ s.70.
Provision of free landing places — „ s.71.
Maintenance and control of pilots — „ s.72.
Power to make bye-laws — „ ss.72to77.
Recovery of damages for injury to Board's property — „ s.84.

4. Finance.

Issue of securities in payment of price of property transferred to Board — „ ss.30,30A(ins. Bom.Act1, 1881,s.1;am. Bom.Act3 1881,s.2),Sch.B.
Application of sale-proceeds of Board's property — „ s.31.
Capital debts due by Board — „ s.33,Sch.C.
Interest payable by Board — „ s.34(rep.in pt. Bom.Act3,1886; am.Bom.Act3, 1881,s.3,Bom. Act1,1891,s.2) s.35,Sch.C.
Payment of lump sum to Municipal Corporation in lieu of general tax; duties of Corporation in return for such payment; settlement by Government of disputes — „ s.36(am.Bom.Act 3,1888,s.145), ss.37,38.
Borrowing powers of Board — „ s.39(am.Bom.Act 3,1881,s.4),ss.40, 41,42(am.Bom. Act1,1881, s.2),Sch.D.
Tolls, dues, rents, rates and charges:
Imposition of — „ s.43(am.Bom.Act 6,1883),ss.45,46.
Recovery of — „ ss.61to67.
Exemptions from — „ ss.43,44.
Power to remit — „ s.43.
Payment of toll by Government to Board for troops, in lieu of rates, etc. — „ s.44.
Power of Local Government to increase rates, etc., or to appoint officer to receive them — „ s.60.
Payment to Board of rates, etc., due in respect of wharf, etc., set apart for use under Sea Customs Act, 1878 — „ s.70.
Power to make bye-laws as to mode of payment of — „ s. 73(*f*).
Penalties for evading payment of, etc. — „ ss.82,83.

PORT COMMISSIONERS OR TRUSTEES—*cont.*

III.—BOMBAY PORT TRUSTEES—*cont.*

4. Finance—*cont.*

Pilotage fees	Bom.Act6,1879,	section72.
Accounts	„	ss.47to50,58.
Application of funds	„	ss.49,50.
Investment of funds	„	s.51.
Estimates	„	ss.52to57.

5. Conduct of Business.

Meetings; transaction of business; appointment and proceedings of Committees; vacancies and irregularities not to invalidate proceedings	„	s.16.
Contracts; estimates and plans for works	„	ss.17,68.
Engraving, etc., of Chairman's signature	„	s.17A(ad.Bom. Act3,1881,s.1).
Power to compound for claims	„	s.18.
Officers and servants	„	ss.19,21,22(am. Bom.Act3,1883, ss.1to3; rep.in pt. Bom.Act3,1886, Bom.Act1,1891, s.2),ss.23to25,49 (am.Bom.Act3, 1883,s.4),s.50.

6. General Powers of Official Control.

Power of Local Government to increase rates, etc., or appoint officer to receive them	„	s.60.

7. Miscellaneous.

Saving of customs law and rights to collect customs-duties and town-duties	„	s.69.
Penalties for certain offences	„	ss.78to83.
Cognizance of offences; fines, etc., to be paid to Board	„	s.85.
Suits against Trustees, etc.; indemnity to Board for acts of others	„	s.87.
Holidays	„	s.86.

IV.—CALCUTTA PORT COMMISSIONERS.

1. Preliminary.

Definitions	Ben.Act3,1890,	section3.

2. Constitution of Commissioners.

Incorporation of Commissioners	„	s.4.
Number of Commissioners	„	s.5.
Election, appointment, nomination and term of office of Commissioners	„	ss.6to10.
Remuneration of Commissioners	„	s.11.
Leave of absence to Vice-Chairman	„	ss.12,13(am. Ben.Act4, 1895,s.2).
Filling of vacancies	„	ss.14to16.
Disqualifications of Commissioners	„	s.17.

PORT COMMISSIONERS OR TRUSTEES—*cont.*

IV.—CALCUTTA PORT COMMISSIONERS—*cont.*

3. Rights, Powers and Duties of Commissioners.

Administration vested in Commissioners	Ben.Act3,1890,section4.
Property; acquisition, holding and transfer of	„ ss.55,57,58.
Works to be constructed and carried out	„ s.35(am.Ben. Act6,1895,s. 2),s.123(2).
Provision, etc., of landing places and bathing places	„ ss.81,82.
Landing and shipping of goods from and in sea-going vessels and inland vessels	„ s.90(am.Ben. Act4,1895,s. 5),ss.91to100, Sch.III.
Custody and removal of goods landed by Commissioners	„ s.113(am.Ben. Act2,1894, Ben.Act4, 1895,ss.11, 12),s.114.
Power to order removal of vessels from wharves, etc.	„ ss.101,102.
Setting apart of wharves, etc., for use under Sea Customs Act, 1878	„ ss.87,88.
Prohibition of erection of private wharves, etc., without assent of Local Government; removal of such wharves, etc., and provision of others in their place	ss.83to86.
Licensing of Commissioners' warehouses under Sea Customs Act, 1878, s. 16; signature of warrants delivered under s. 96 of that Act	„ s.122A(ins. Ben.Act4, 1895,s.15).
Power of Commissioners to give security for import duty on bonded goods or for due exportation of goods	„ s.122B(ins. Ben.Act4, 1895,s.15).
Power to make bye-laws	„ ss.126to128.
Functions as Receivers of Wreck	„ s.125.
Recovery of compensation for damage done to property of Commissioners	„ s.89.
Lighting, cleansing, watering and repair by Municipal Corporation of roads and thoroughfares vested in Commissioners	„ ss.67,68.
Power of, to build or acquire vessels, and employ them in service of Howrah Bridge and in carrying goods and passengers to and from Calcutta and Howrah; power to levy fees and charges for such services	Ben.Act3,1880.

See also HOWRAH BRIDGE.

4. Finance.

Tolls, dues, rates, charges and fees:	
Imposition of	Ben.Act3,1890,ss.103, 104,104A, 105,106(am. Ben.Act4,1895, ss.6to8;Ben.Act 6,1895,s.4),102, 107(*1*),115(am. Ben.Act4, *1895,s.13*).

PORT COMMISSIONERS OR TRUSTEES—*cont.*

IV.—CALCUTTA PORT COMMISSIONERS—*cont.*

4. Finance—*cont.*

Tolls, dues, rates, charges and fees—*cont.*:
Power of Local Government to cancel or modify - - - Ben. Act 3, 1890, s. 107(2).
" " " require Commissioners to charge additional general or differential tolls, etc., for payment of debt - " ss.108,109(am. Ben.Act4, 1895,ss.9, 10),s.110.
Recovery of - - - - - - - - - " ss.111,115,116 (am.Ben.Act 4,1895,s.13; Ben.Act6, 1895),ss.117 to122.
Power to make bye-laws as to mode of payment of - - " s. 126(e).
Power to levy, not to be alienated without assent of Local Government - - - - - - - " s.56.
Collection of, by Commissioners at wharf, etc., set apart for use under Sea Customs Act, 1878 - - - - " s.88.
Power to levy, for services in connection with Howrah Bridge - Ben.Act3,1880.
Borrowing powers of Commissioners - - - - - - Ben. Act3,1890, ss.18to 27,Sch.II.
Payment of consolidated rate to Municipal Corporation:
Determination of annual value for purposes of assessment - " ss.59,62to66.
Amount to be paid - - - - - - " ss.60,66C(ins. Ben.Act6 1895,s.3).
Time of payment; payment how compellable - - " ss.61,66M(ins. Ben.Act6, 1895,s.3).
Special provisions for calculating annual value, and ascertaining value, of building erected on land let to tenants; assessment-book - - - - - - - - " ss.66A,66B, 66Dto66L(ins. Ben.Act6, 1895,s.3).
Recovery of rate by Commissioners from owners of buildings and tenants of land - - - - - - " s.66N(ins.Ben. Act6,1895, s.3).
Port dues, fees and charges received by Commissioners as Conservators of the Port to be considered part of their income - " s.123(*l*).
Charge to which Commissioners are liable in respect of port-dues and fees received by them as Conservators of the Port deemed to be included in debt to Government - - - - " s.124.
Estimates - - - - - - - - - " ss.69to75,123.
Port Police budget - - - - - - - - " ss.133,134.
Accounts - - - - - - - - - " ss.76to80,123.

5. Conduct of Business.

Meetings; record and transmission to Local Government of minutes of proceedings - - - - - - - - " ss.40to46.
Appointment of Committees - - - - - - - " s.29.

PORT COMMISSIONERS OR TRUSTEES—*cont.*

IV.—CALCUTTA PORT COMMISSIONERS—*cont.*

5. Conduct of Business—*cont.*

Officers and servants	Ben. Act 3, 1890, ss. 30 to 32, 32A (ins. Ben. Act 4, 1895, s. 3), 33, 34, 54.
Power of Chairman or Vice-Chairman to exercise powers, etc., of Commissioners	„ s. 47.
Contracts and execution of works	„ ss. 48 to 51, 53.
Power to compound for claims	„ s. 52.
Vacancies and irregularities not to invalidate proceedings	„ s. 28.

6. General Powers of Official Control.

Power of Local Government—	
to order survey	„ s. 36.
to restore, complete or construct work in default of Commissioner	„ s. 37.
to require Commissioners to charge additional general or differential tolls, etc., for payment of debt	„ ss. 108, 109 (am. Ben. Act 4, 1895, ss. 9 & 10), s. 110.
to revoke Commissioners' powers	„ ss. 38, 39.

7. Miscellaneous.

Port Police Force:	
Constitution and control of	„ ss. 129 to 131.
Daily reports by Superintendent to Commissioners	„ s. 132.
Budget	„ ss. 133, 134.
Police-officers to report offences and may arrest offenders; detention of offenders	„ ss. 140, 141.
Penalty for accepting illegal gratification	„ s. 136.
„ „ depositing rubbish or offensive matter on dock, wharf, etc.	„ s. 137.
Jurisdiction and procedure in case of offences committed—	
in Calcutta	„ s. 138.
beyond Calcutta	„ s. 139.
Limitation of suits	„ s. 142.
Indemnity to Commissioners—	
for damage to goods in their possession	„ s. 112.
for loss of or damage to petroleum stored in warehouse licensed under Sea Customs Act, 1878	„ s. 122C (ins. Ben. Act 4, 1895, s. 15).
for acts of harbour master, etc.	„ s. 135.

V.—CHITTAGONG PORT COMMISSIONERS.

1. Preliminary.

Definitions	Ben. Act 4, 1887, ss. 2, 4,
Power to define limits of port	„ s. 3.

2. Constitution of Commissioners.

Incorporation of Commissioners	„ s. 4.
Appointment, election, tenure of office and disqualifications of Commissioners; filling of casual vacancies	„ ss. 5 to 9, 11.

PORT COMMISSIONERS OR TRUSTEES—*cont.*

V.—CHITTAGONG PORT COMMISSIONERS—*cont.*

2. Constitution of Commissioners—*cont.*

Remuneration of Commissioners	Ben. Act 4, 1887,	section 55.
Chairman and Vice-Chairman, and their remuneration	„	s.10.

3. Rights, Powers and Duties of Commissioners.

Administration vested in Commissioners	„	s.4.
Property; acquisition, holding, transfer and vesting of	„	ss.12to15, Sch.I.
Works to be constructed and carried out	„	s.16.
Power to make port-rules	„	s.17.
Control of pilots	„	s.18.
Provision, etc., of landing places and bathing places	„	ss.19,20.
Shipping and landing of goods in and from sea-going vessels and inland vessels	„	ss.21to24,26, 27,Sch.II.
Power to order removal of vessels from wharves, etc.	„	s.25.
Setting apart of wharves, etc., for use under Sea Customs Act, 1878	„	ss.28,29.
Prohibition of erection of private wharves, etc., without permission of Commissioners	„	ss.30to32.
Power to remove to warehouse goods left on or in wharf or shed belonging to Commissioners	„	s.37.
Recovery of compensation for damage done to property of Commissioners	„	s.42.

4. Finance.

Tolls, dues, rates and charges:		
Imposition and recovery of	„	ss.33to41,76.
Power to make bye-laws as to mode of payment of	„	s.17(*d*).
Collection of dues, etc., by Commissioners at wharf, etc., set apart for use under Sea Customs Act, 1878	„	s.29.
Power to grant exemptions	„	s.44.
Custody of money; disbursements	„	s.67.
Accounts and estimates	„	ss.68,69.
Borrowing powers of Commissioners	„	ss.70to72, Sch.III.

5. Conduct of Business.

Secretary and office	„	ss.53,54.
Meetings	„	ss.55to59, 61,64.
Appointment of executive officer	„	s.60.
Officers and servants	„	ss.62,64.
Commissioners and certain of their servants deemed "public servants"	„	s.63.
Power to make bye-laws as to	„	s.64.
Contracts; estimates and plans for works	„	ss.65,66.
Submission of reports	„	s.68.

6. General Powers of Official Control.

General power of Local Government to cancel, suspend or modify proceedings of Commissioners	„	s.44.
Power of Local Government— to make rules as to works and expenditure	„	s.45.

PORT COMMISSIONERS OR TRUSTEES—*cont.*

V.—CHITTAGONG PORT COMMISSIONERS—*cont.*

6. General Powers of Official Control—*cont.*

Power of Local Government—*cont.*
- to order survey — Ben.Act4,1887,section46.
- to restore, complete or construct work in default of Commissioners — „ s.47.
- to revoke Commissioners' powers — „ s.48.

7. Miscellaneous.

- River police: establishment and maintenance of; police to be enrolled under Act 5, 1861 — „ s.43.
- Suits by and against Commissioners — „ ss.49to52.
- Indemnity to Commissioners for acts of harbour-master, etc. — „ s.52.
- Penalties for certain offences — „ ss.73to76.
- Prosecutions; initiation of — „ s.77.
- Recovery of moneys due to Commissioners — „ s.79.

VI.—KARACHI PORT TRUSTEES.

1. Preliminary.

- Definitions — Bom.Act6,1886,ss.2,4,69.
- Power to define limits of port — „ s.3.

2. Constitution of Board of Trustees.

- Incorporation of Board — „ s.4.
- Board how constituted — „ s.5.
- Chairman and Vice-Chairman — „ ss.6,9,11,20.
- Appointment, election, term of office and retirement of trustees; filling of casual vacancies; disqualifications of trustees — „ ss.7to15.
- Remuneration of Chairman, Vice-Chairman and Trustees — „ s.16.

3. Rights, Powers and Duties of Board of Trustees.

- Administration vested in Board — „ s.4.
- Property; power of Board to acquire, hold and transfer — „ s.25.
- „ acquisition of land by Local Government for Board — „ s.26.
- „ transfer of, to Board — „ s.27,Sch.A.
- Transfer to Board of liabilities of Karachi Harbour Board — „ s.28.
- Works to be constructed and carried out — „ s.29.
- Provision, etc., of landing places and bathing places — „ ss.30,31.
- Shipping and landing of goods in and from sea-going vessels — „ ss.32to34,36,37,Sch.C.
- Power to order removal of vessels from wharves, etc. — „ s.35.
- Setting apart of wharves, etc., for use under Sea Customs Act, 1878 — „ ss.38,39.
- Prohibition of erection of private wharves, etc., without permission of Board — „ ss.40to42.
- Power to remove to warehouse goods left on or in wharf or shed belonging to Board — „ s.49.
- Maintenance and control of pilots — „ s.55.
- Power to make bye-laws — „ ss.56to59.
- Recovery of compensation for damage done to property of Board — „ s.76.

4. Finance.

Transfer to Board of—
- loans, debts and sums contracted, or incurred by or due to Karachi Harbour Board — „ s.28,Sch.B.

PORT COMMISSIONERS OR TRUSTEES—*cont.*

VI.—KARACHI PORT TRUSTEES—*cont.*

4. Finance—*cont.*

Transfer to Board of—*cont.*
- moneys credited under the Indian Ports Act to the Karachi Port Fund — Bom. Act 6, 1886, s. 54.

Tolls, dues, rates and charges:
- Imposition of — „ ss. 43, 49.
- Power to remit — „ s. 44.
- Payment of toll by Government to Board for troops, in lieu of rates, etc. — „ s. 45.
- Recovery of — „ ss. 46 to 53, 84.
- Power to make bye-laws as to mode of payment of — „ s. 56(*d*).
- Collection of dues, etc., by Board at wharf, etc., set apart for use under Sea Customs Act, 1878 — „ s. 39.
- Penalties for evading payment of — „ ss. 74, 75.
- Power of Local Government to increase — „ s. 81.

Pilotage fees — „ s. 55.
Custody of money; disbursements — „ s. 60.
Application of funds — „ s. 61.
Investment of funds — „ s. 69.
Estimates — „ ss. 62 to 67.
Audit of accounts — „ s. 68.

5. Conduct of Business.

Meetings; transaction of business; appointment and proceedings of Committees; vacancies and irregularities not to invalidate proceedings — „ s. 17.
Contracts; plans and estimates for works — „ ss. 18, 29.
Power to compound for claims — „ s. 19.
Officers and servants — „ ss. 21 to 24.

6. General Powers of Official Control.

Power of Local Government—
- to order survey — „ s. 79.
- to restore, complete or construct work in default of Board — „ s. 80.
- to increase rates, etc. — „ s. 81.
- to revoke Board's powers — „ s. 82.

7. Miscellaneous.

Police; payments for establishment and maintenance of — „ s. 61(3).
Penalties for certain offences — „ ss. 70 to 73.
Cognizance of offences; fines, etc., to be paid to Board — „ s. 77.
Initiation of prosecutions — „ s. 78.
Recovery of money due to Board — „ s. 84.
Liability of Trustees for breach of trust, etc. — „ ss. 85, 86.
Suits: notice of; limitation; tender of amends — „ s. 87.
Indemnity to Board for acts of harbour-master, etc. — „ s. 88.

VII.—MADRAS HARBOUR TRUSTEES.

1. Preliminary.

Definitions — Mad. Act 2, 1886, ss. 3, 4.

PORT COMMISSIONERS OR TRUSTEES—*cont.*

VII.—MADRAS HARBOUR TRUSTEES—*cont.*

1. Preliminary—*cont.*

Commencement of Act - - - - - - - Mad.Act2,1886,sec.2(am. Mad.Act3,1886, s.1).

2. Constitution of Board of Trustees.

Incorporation of Board - - - - - - - „ s.4.
Board how constituted - - - - - - - „ s.5.
Election, nomination, term of office and removal of trustees; filling of casual vacancies - - - - - - - „ ss.6to13.
Disqualifications of trustees - - - - - - - „ s.14.
Chairman - - - - - - - - - „ ss.5,7,8,11,12.
Remuneration of Chairman and trustees; leave of absence to, and leave-allowances of, Chairman - - - - - - „ ss.15,16.

3. Rights, Powers and Duties of Board of Trustees.

Administration vested in Board - - - - - „ s.4.
Property; certain, vested in Board - - - - - „ s.25(am.Mad.Act 3,1886,s.2),Sch. A.
„ power of Board to acquire, hold and transfer - - „ s.26.
„ acquisition of, by Local Government for Board - - „ s.27.
Execution of works - - - - - - - - „ ss.60,61.
Employment of steam-tugs - - - - - - „ s.62.
Contracts; plans and estimates for works - - - - „ ss.63to65.
Power to compound for claims - - - - - „ s.66.
Power to make bye-laws - - - - - - - „ s.70(am.Mad.Act 1,1892,ss.3,4), ss.71to75.
Prohibition of erection of private wharves, etc., without consent of Governor General in Council - - - - - - „ s.80.
Recovery of compensation for damage done to property of Board - „ s.83.

4. Finance.

Sums standing at credit of harbour-dues fund transferred to Board - „ s.25(am.Mad.Act 3,1886,s.2).
Tolls, dues, rents, rates and charges:
Imposition of - - - - - - - - „ s.45(am.Mad.Act 1,1892,ss.2,4), s.53.
Power of Board or Local Government to increase - - „ ss.46,47.
Recovery of - - - - - - - - - „ ss.48to58.
Power to make bye-laws as to mode of payment of - - „ s.70.
Penalty for evading payment of - - - - - „ ss.81,82.
Power to levy, not to be alienated without assent of Local Government - - - - - - - - - „ s.59.
Charges for towage - - - - - - - „ s.62.
Debts due by Board to Government; interest thereon; repayment thereof - - - - - - - - - „ s.29(am.Mad.Act 3,1886,s.2),ss. 30to32,Sch.B.
Borrowing powers of Board - - - - - - „ ss.34to36,Sch.C.
Application of funds - - - - - - - „ s.33.
Estimates - - - - - - - - - „ ss.37to42.
Accounts - - - - - - - - - „ ss.43,44.
Property vested in Board exempted from municipal taxes - - „ s.28.

PORT COMMISSIONERS OR TRUSTEES—*cont.*

VII.—MADRAS HARBOUR TRUSTEES—*cont.*

5. Conduct of Business.

Meetings; transaction of business; appointment and proceedings of Committees; vacancies and irregularities not to invalidate proceedings — Mad.Act2,1886, ss.17,18.

Delegation of powers and duties of Board to Chairman; duties of Chairman — „ ss.19,20.

Officers and servants — „ ss.21to24.

6. General Powers of Official Control.

Power of Local Government—

to direct increase of rates, etc., to provide against estimated deficiency of revenue — „ ss.46,47.

to order survey — „ s.67.

to restore, complete or repair works, in default of Board — „ s.68.

to revoke Board's powers — „ s.69.

7. Miscellaneous.

Saving of powers of Chief Officer of Customs — „ s.51.

Penalties for certain offences — „ ss.76to79.

Cognizance of offences; fines, etc., to be paid to Board — „ s.84.

Application of Code of Criminal Procedure, 1882, and ss. 67 to 69 of Indian Penal Code, to offences and fines — „ s.85.

Holidays — „ s.86.

Suits: notice of; limitation — „ s.87.

Indemnity to Board for acts of harbour master, etc. —

VIII.—RANGOON PORT COMMISSIONERS.

1. Preliminary.

Definitions — Act 15, 1879, section 2.

Power to define limits of port — „ s.3.

2. Constitution of Commissioners.

Appointment, tenure of office and removal of Commissioners — „ ss.4,5(am.Act3, 1892,s.1),ss.6,8.

Remuneration of Commissioners — „ s.56.

Chairman and Vice-Chairman, and their remuneration — „ ss.7,8.

3. Rights, Powers and Duties of Commissioners.

Administration vested in Commissioners — „ s.9.

Property; acquisition, holding, transfer and vesting of — „ ss.10,11,13,14, Sch.A.

Works to be constructed and carried out — „ s.15.

Power to make port-rules — „ s.16.

Control of pilots — „ s.17.

Provision, etc., of landing places and bathing places — „ ss.18,19.

Shipping and landing of goods in and from sea-going vessels and inland vessels — „ ss.20to23,25, 26,Sch.B.

Power to order removal of vessels from wharves, etc. — „ s.24.

Setting apart of wharves, etc., for use under Sea Customs Act, 1878- „ ss.27,28.

Prohibition of erection of private wharves, etc., without permission of Local Government — „ ss.29to31.

PORT COMMISSIONERS OR TRUSTEES—*cont.*

VIII.—RANGOON PORT COMMISSIONERS—*cont.*

3. Rights, Powers and Duties of Commissioners—*cont.*

Power to remove to warehouse goods left on or in wharf or shed belonging to Commissioners	Act 15, 1879, section 36.
Recovery of compensation for damage done to property of Commissioners	„ s.41.
Powers under the Inland Steam Vessels Act, 1894	„ s.43

4. Finance.

Tolls, dues, rates and charges:	
Imposition and recovery of	„ ss.32to40,77.
Power to make bye-laws as to mode of payment of	„ s.16(*d*).
Collection of dues, etc., by Commissioners at wharf, etc., set apart for use under Sea Customs Act, 1878	„ s.28.
Power to grant exemptions	„ s.44.
Transfer of sums from Port Fund to Municipal Fund	„ s.1(am.Act11, 1889,s.100),s.12. Act17,1884,section60(*c*).
Custody of money; disbursements	Act 15, 1879, section 68.
Accounts and estimates	„ ss.69,70.

5. Conduct of Business.

Secretary; seal; office	„ ss.54,55.
Meetings	„ ss.56to60(am. Act3,1892,s. 2),62,65.
Appointment of Executive Officer	„ s.61.
Officers and servants	„ ss.63(am.Act3, 1892,s.3),65.
Commissioners and certain of their servants deemed "public servants"	„ s.64.
Power to make bye-laws as to	„ s.65.
Contracts; estimates and plans for works	„ ss.66,67.
Submission of reports	„ s.69.

6. General Powers of Official Control.

General power of Local Government to cancel, suspend or modify proceedings of Commissioners	„ s.44.
Power of Local Government—	
to make rules as to works and expenditure	„ s.45.
to order survey	„ s.46.
to restore, complete or construct work in default of Commissioners	„ s.47.
Power of Governor General in Council to revoke Commissioners' powers	„ s.48.

7. Miscellaneous.

River-police: establishment and maintenance of; police to be enrolled under Act 5, 1861	„ s.42.
Suits by and against Commissioners	„ ss.49to53.
Indemnity to Commissioners for acts of harbour-master, etc.	„ s.53.
Penalties for certain offences	„ ss.71(am.Act 3,1892,s.4), 72to74.

PORT COMMISSIONERS OR TRUSTERS—*cont.*

VIII.—RANGOON PORT COMMISSIONERS—*cont.*

7. Miscellaneous—*cont.*

Prosecutions; initiation of - - - - - - Act 15, 1879, section 75
Recovery of moneys due to Commissioners - - - - „ s.77

PORTS POLICE ACT (MADRAS), 1881. (*See* POLICE, I, K) - - Mad.Act1,1881.

PORT TRUST ACT (ADEN), 1888. } (*See* PORT COMMISSIONERS) - { Bom.Act5,1888.
„ „ „ (BOMBAY), 1879. } { Bom.Act6,1879.
„ „ „ (KARACHI), 1886. } { Bom.Act6,1886.

PORTERS.
Control over, in municipalities:
Aj., L. B., C. P. *See* MUNICIPALITY, II, 6 (*q*).
Darjeeling and Kurseong „ „ V, 6 (*q*).
N.-W. P. and Oudh. „ „ IX, 6 (*f*).
Punjab. „ „ XIV, 6 (*q*) (*t*).

PORTUGUESE DESERTERS ACT, 1849. [1] (*See* MERCHANT SHIPPING) - 12-3Vict.c.25.

POST OFFICE ACT (INDIAN), 1866 - - - - - Act14,1866.
„ „ (MONEY ORDERS) ACT, 1880 - - - - 43-4V.c.33.
„ „ „ „ „ 1883 - - - - 46-7V.c.58.

POST OFFICE (ENGLISH LAW.)
1880. 43-4 V. c. 33[2] (Money Orders). 1891. 54-5 V. c. 31 (Mail Ships).
1883. 46-7 V. c. 58[2] (Money Orders).

1. Conveyance of Mails and Letters.

Application of Mail Ships' Act, 1891, by Order in Council, to—
Foreign States and British Possessions - - - - 54-5V.c.31,ss.1,8,Sch.
public ships - - - - - - - „ s.6.
Conveyance of letters by crew or passengers of mail ships forbidden - „ s.2.
"Exempted mail ships", certain ships for which security has been given to be deemed; procedure on application to Court to fix security - „ s.3.
„ „ arrest and execution of process on board „ s.4.
„ „ exemption from seizure of - - „ s.5.
Legal proceedings - - - - - - - - „ s.7.

2. Money Orders.

Issue of, under Post Office regulations; form and amount of, and poundage on - - - - - - - - 43-4V.c.33,ss.1,2,5. 46-7V.c.58,ss.1to3.
Providing of dies for; forgery or fraudulent use of dies or stamps - Manufacture of paper for; fraudulent manufacture or possession of paper - - - - - - - - 43-4V.c.33,s.4(2).
Fraudulent issue or re-issue - - - - - - „ ss.3,4(3).
Forgery, theft, etc., of - - - - - - „ s.4(4).
Forgery, etc., of crossing of - - - - - - „ s.3.
Application to poundage of Acts for punishment of offences as to stamp duties - - - - - - - - „ s.4(1).
Revenue from poundage on - - - - - - „ ss.1,4(1).
Application of Acts to British Possessions out of United Kingdom - 46-7V.c.58,s.4.

[1] This short title was given by 59 & 60 Vict. c. 14.
[2] Collective title ("Post Office Acts,——") given by 59 & 60 Vict. c. 14.

POST OFFICE (INDIAN LAW).

1862. Ben. Act 8 (Zamindari Daks, Bengal).
1866. Act 14 (Post Office).
1872. Reg. 3, s. 3 (Laws, Santhál Parganas).
1874. Reg. 9, s. 3 (Laws, Arakan Hill District).
1882. Act 3 (Seditious Publications).
1882. Act 10, s. 184 (Place of trial).
1886. Act 20, s. 6 (Laws, Upper Burma).
1890. Reg. 1, s. 3 (Laws, British Baluchistan).
1894. Reg. 1, s. 3 (Laws, Angul).
1896. Reg. 5, s. 3 (Laws, Chin Hills).

1. Preliminary.

Act 14, 1866, applies—	
to whole of British India	Act 14, 1866, ss. 5, 6, etc.
for certain purposes, in Foreign States in India in alliance with Her Majesty	„ s. 59.
„ „ declared in force in—	
the Santhál Parganas	Reg. 3, 1872, s. 3 (am. Reg. 3, 1886).
the Arakan Hill District	Reg. 9, 1874, s. 3.
Upper Burma generally (except the Shan States)	Act 20, 1886, s. 6.
British Baluchistan	Reg. 1, 1890, s. 3.
Angul and the Khondmals	Reg. 1, 1894, s. 3.
certain tracts in the Chin Hills	Reg. 5, 1896, s. 3.
Act 3, 1882 (Seditious Publications), extends to whole of British India	Act 3, 1882, s. 1.
„ „ declared in force in—	
the Santhál Parganas	Reg. 3, 1872, s. 3 (am. Reg. 3, 1886).
Upper Burma generally (except the Shan States) (s. 3).	Act 20, 1886, s. 6.
Ben. Act 8, 1862 (Zamindari Daks)—	
applies to Bengal	Ben. Act 8, 1862, preamble.
declared in force in the Santhál Parganas	Reg. 3, 1872, s. 3 (am. Reg. 3, 1886).
Definitions	Act 14, 1866, section 2.

2. Administration.

Appointment and powers of officers	„ s. 7
Care, etc., of stamps; crediting of sale-proceeds	„ s. 37.
Power to make rules as to stamp vendors	„ s. 38.

3. Postal rates and regulations.

Postage on letters	„ s. 8.
„ newspapers	„ ss. 9 to 11.
„ proof-sheets	„ s. 12.
„ books, packets, etc.	„ ss. 13, 16, 17.
„ parcels	„ ss. 14, 16, 17.
„ „ table of distances for calculation of rates	„ s. 15.
„ „ by ship	„ s. 18.
Power to direct pre-payment of postage, and extra rate when postage not pre-paid	„ s. 19.
„ alter rates	„ s. 20.
„ impose different rates for letters, etc., sent out of India	„ s. 21.
„ impose special rates for letters, etc., sent by sea from one part of India to another	„ s. 22.
„ fix special rates for conveyance of letters, etc., by express	„ s. 23.
Postage on letters, etc., re-directed, etc.	„ s. 24.

POST OFFICE (INDIAN LAW)—*cont.*

3. Postal rates and regulations—*cont.*

Registration of letters, etc., and fees therefor - - - Act 14, 1866, ss. 25, 26.
Re-delivery of articles put into Post Office - - - - „ s. 27.
Liability for postage when not pre-paid - - - -
Recovery of postage - - - - - - - - „ s. 28.
Power to remit postage - - - - - -
Unclaimed letters, etc., how dealt with - - - - „ s. 29.
Refused „ „ „ „ - - - - „ s. 30.
Stamped letters, etc., considered pre-paid - - - - „ s. 35.
Government to provide stamps and make regulations relative thereto „ s. 36.
Official letters, etc.: sending of, under signature of public officer; recovery of postage - - - - - - - „ s. 62.
General power of Governor General in Council to make rules - „ s. 63.

4. Conveyance of Mails, Letters and Parcels.

Exclusive privilege of carrying letters vested in Government of India; exceptions - - - - - - - - „ s. 5, 6.
Where no parcel post, parcels, books, etc., to be sent by letter post - „ s. 16.
When book-packets and parcels to go by letter post - - - „ s. 17.
Master of inward-bound vessel carrying mails to send them on arrival to Post Office or make report; penalties; bounty-money to be paid by Post Office - - - - - - „ ss. 31 to 33.
Commander of outward-bound vessel to receive letters, etc., on requisition of Post Office official; penalty - - - - „ s. 34.

5. Offences and Legal Proceedings.

Penalties for —
offences in connection with carrying of mails by ships - - „ ss. 31, 32, 34.
„ by stamp vendors - - - - - „ ss. 39 to 41.
sending dangerous substance by post - - - - „ s. 42.
making false certificate - - - - - -
sending private letter as official - - - - „ s. 43.
detaining mails or opening mail-bags - - - - „ s. 44.
retaining, etc., letter, etc., delivered by mistake - - „ s. 45.
conveying letter in breach of Government privilege, etc. - - - - - - - - „ s. 46.
neglect on part of person employed to carry mails, etc. - - - - - - - - „ s. 47.
Penalty on postal employé stealing, etc., letter - - - „ s. 48.
„ „ „ fraudulently altering mark on letter, etc. - „ s. 49.
„ „ „ preparing documents incorrectly, etc. - „ s. 50.
„ „ „ sending letter, etc., on which postage not paid - - - - - „ s. 51.
„ for abetment of offence - - - - - „ s. 52.
Letters, etc., containing contraband articles, or prohibited contents; power to open - - - - - - -
Power to require customs pass before forwarding parcel to place beyond India - - - - - - - „ s. 60.
Search for and disposal of seditious publications, etc. - - „ s. 60A (ins. Act 3, 1882, s. 3).

POST OFFICE (INDIAN LAW)—*cont.*

5. Offences and Legal Proceedings—*cont.*

Summary trial for offence punishable with fine only - - - Act14,1866,s.53.
Offences, wherever committed, may be tried in Presidency-town - Act10,1882,s.184.
Conviction; form of - - - - - - - - } Act14,1866,section54.
„ may be quashed on merits only - - - - }
Recovery of fines - - - - - - - - „ ss.56,58.
Reward to informer out of fine - - - - - - s.57.
Trial and punishment of postal official committing offence in allied State - - - - - - - - - - } „ s.59.
Proof not required of property in or value of mail-bag, etc., or of nature of employment of postal official - - - - } „ s.61.
Production in criminal proceedings of letters in custody of Post Office - - - - - - - - - } Act10,1882,s.95.

6. Miscellaneous.

Power of Governor General in Council to make rules as to management of zamindari and other district dâks, and to apply portions of Act to such dâks - - - - - - - - - } Act14,1866,s.64.
Zamindari Dâks in Bengal:
Appointment of dak-runners, etc., vested in District Magistrate or officer specially appointed - - - - } Ben.Act8,1862,section2.
Not to be established or maintained where there is a Government post - - - - - - - - } „ s.4.
Raising of funds for maintenance of - - - - „ ss.3,5to10.
Power of Government to make rules for management of - - } „ s.11(am.Act 5,1897).
Ben. Act 8, 1862, not to affect contract or engagement made by zamindar - - - - - - - - } „ s.12.
Government not responsible for loss or damage; postal officials responsible only for negligence, malice or fraud - - } Act14,1866,section65.
Powers of Post Office in case of articles bearing fictitious or previously-used stamps - - - - - - - } „ s.66(ad.Act3, 1895,s.7).
Recovery by Post Office, from addressees, of customs dues paid by it - } „ s.67(ad.Act 16,1896).

POUND.
See ANIMAL, A, 3; B.

POWER.
Act 28, 1866, declared in force throughout British India, except as regards the Scheduled Districts - - - } Act15,1874,s.3.
„ „ applies only to cases to which English law is applicable Act28,1866,s.45.
Mode of execution of - - - - - - - „ s.24.

POWERS AND DUTIES.
Statutory; general provisions as to exercise and performance of.
See ACTS OF PARLIAMENT, 1; ACTS AND REGULATIONS, ETC., 1.

POWERS-OF-ATTORNEY ACT, 1882 - - - - - Act7,1882.

POWER OF ATTORNEY.
Act 7, 1882, extends to whole of British India - - - Act7,1882,s.1.
„ „ declared in force in the Santhál Parganas - - } Reg.3,1872,s.3(am.Reg.3, 1886).

POWER OF ATTORNEY—*cont.*
Donee of, may execute assurance, etc., in his own name - - Act7,1882,s.2.
Validation of payment, etc., under power without notice of death, lunacy or insolvency of donor, or of revocation - - - „ s.3.
Deposit in High Court of instrument creating, and grant of copies thereof - - - - - - - - „ s.4.
Power of married woman to give - - - - - - „ s.5.

PRECIOUS STONES.

Upper Burma, Chin Hills and Kachin Hills.

Reg. 12, 1887, extends *proprio vigore* to Upper Burma, except the Shan States - - - - - - Reg.12,1887,s.1(2).
„ „ declared in force in—
Kachin Hill-tracts, as regards hill-tribes - - Reg.1,1895,s.3.
certain tracts in the Chin Hills - - - Reg.5,1896,s.3.
"Precious stone" includes ruby, spinel, sapphire, etc. - - Reg.12,1887,section2(*1*).
Right of Government to - - - - - - - Reg.3,1889,s.31.
Prohibition of digging for, or dealing with, precious stones, except as permitted by rules; powers for making rules; penalties; confiscation - - - - - - - Reg.12,1887,ss.3to6(am. Reg.5,1891; Reg.1,1897, s 1),8.
Presumption that offence committed when accused found in possession of stone - - - - - - - - „ s.7.
Powers of search, seizure and arrest; procedure - - - „ ss.9(am.Reg.1, 1897,s.2)· 10to12.
Obligation to give information of offences - - - - „ s.13.
Power to grant lease; acquisition of land for grantee - - „ ss.14,16.
Recovery of arrears of fees, etc. - - - - - „ s.15.
Saving of rights established to satisfaction of Local Government - „ s.1(4).

PRE-CONTRACTS. *See* MARRIAGE, I, 2.

PRE-EMPTION.
In Ajmere. *See* AJMERE, 2.
„ Oudh. *See* OUDH, 4.
„ Punjab. *See* PUNJAB, 3.

PREPARIS ISLAND. *See* LITTLE COCOS ISLAND AND PREPARIS ISLAND.

PRESCRIBED; definitions of. *See* WORDS AND PHRASES.

PRESIDENCIES.
Definitions of "Presidency." *See* WORDS AND PHRASES.
Power to declare and alter limits of. *See* GOVERNMENT OF INDIA, 2 (*b*)

PRESIDENCY BANKS ACT, 1876. } (*See* BANK, 1) - - - Act11,1876.
„ „ „ 1879. } Act5,1879.
„ MAGISTRATES ACT, 1877. (*See* CRIMINAL PROCEDURE, 5). Act4,1877.
„ TOWNS ACT (INDIAN), 1815[1] - - - - 55G.3,c.84.

PRESIDENCY-TOWNS.
Limits of - - - - - - - - - 55G.3,c.84,s.1.

PRESS. *See* PRINTING PRESSES.

PREVENTION OF CRUELTY TO ANIMALS ACT, 1890. (*See* CRUELTY TO ANIMALS) - - - - - - - - - Act11,1890.

PREVENTION OF GAMBLING ACT (BOMBAY), 1887. (*See* GAMING) - Bom.Act4,1887.

[1] This short title was given by 59 & 60 Vict. c. 14.

PREVENTION OF OFFENCES. *See* CRIMINAL PROCEDURE (INDIAN), 6.

PREVENTIVE RELIEF.

Act 1, 1877, extends to whole of British India, except the Scheduled Districts[1] - - - - - - - Act1,1877,s.1.
„ „ declared in force in Town of Mandalay - - Act20,1886,s.6.
Definition of - - - - - - - - Act1,1877,ss.5(*c*),6.
Granted by injunction - - - - - - - „ s.52.
Injunctions, temporary - - - - - - - „ s.53.
„ perpetual - - - - - - - „ ss.53,54.
„ mandatory - - - - - - - „ s.55.
„ not to be granted in certain cases - - - „ s.56.
„ to perform negative agreement in contract - - „ s.57.

PRIME-MOVERS. *See* STEAM BOILERS AND PRIME-MOVERS.

PRINCIPAL AND AGENT. *See* AGENCY.

PRINTING PRESSES AND PUBLICATIONS.

Act 25, 1867, declared in force—
throughout British India, except as regards the Scheduled Districts - - - - - - - - Act15,1874,s.3.
in the Santhál Parganas - - - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
in Upper Burma generally (except the Shan States) - - Act20,1886,s.6.
Definitions - - - - - - - - - Act25,1867,s.1(pt.rep.Act 10,1890,s.2).
Books and papers to have printed on them name of printer and publisher and place of printing and publication - - - - „ s.3.
Declaration to be made by—
keeper of printing press - - - - - - „ s.4.
printer and publisher of newspaper - - - - „ ss.5to8(s.6am.Act 10,1890,s.3).
Books newly published; delivery of copies of, to Government - „ ss.9to11(am.Act 10,1890,s.4).
„ „ „ registration of - - - - „ ss.18(am.Act10, 1890,s.6),19.
Penalties for breach of Act - - - - - - „ ss.12to16(am.Act 10,1890,s.5).
Recovery and application of forfeitures - - - - „ s.17(am.Act10, 1890,s.5).
Power of Local Government to make rules for working of Act - „ s.20.
Power of Governor General in Council to exclude books from operation of Act - - - - - - - - „ s.21.

PRISONS ACT, 1894 - - - - - - - - Act9,1894.

PRISON.

1. Preliminary.

Act 9, 1894, extends to whole of British India, including British Baluchistan, Upper Burma and Spiti - - - - Act 9, 1894,section1(*2*).
Definitions - - - - - - - - - „ s.3.

2. Maintenance and Officers.

Local Government to provide accommodation for prisoners - - „ s.4.
Inspector General to provide temporary accommodation when necessary - - - - - - - - - „ s.7.

[1] The Act has been extended to several Scheduled Districts by notification.

PRISON—*cont.*

2. Maintenance and Officers—*cont.*

Inspector General; appointment and general powers of - - Act 9, 1894, section 5.
Other officers; appointment of - - - - - „ s.6.
General duties of officers generally - - - - - „ ss.8to10.
„ „ of superintendent - - - - - „ ss.11,12.
„ „ of medical officer - - - - - „ ss.13to15.
„ „ of jailor - - - - - - - „ ss.16to19.
„ „ of deputy jailor or assistant jailor - - - „ s.20.
„ „ and powers of subordinate officers - - - „ ss.21,22.
Power of Governor General in Council to vest superintendents of convicts employed on public works, and their assistants, with powers to enable them to exert efficient control over the convicts - Ben.Reg.4,1833.
Superintendent to send information of death to Coroner - - (Bo.,Cal.)Act5,1871,s.9.
Convict officers deemed "public servants" - - - - Act 9, 1894,section23.

3. Prisoners.

Admission of; search and medical examination on - - - „ s.24.
Custody of effects of - - - - - - - - „ s.25.
Discipline of: separation of prisoners - - - - - „ s.27.
„ association or separation of convicted criminal prisoners - - - - - - - „ s.28.
„ prisoner kept in solitary confinement cell to have means of communication with officer of prison and to be visited - - - - - „ s.29.
„ search and confinement of prisoner under sentence of death - - - - - - - „ s.30.
Regulations as to food, clothing and bedding of civil and unconvicted criminal prisoners - - - - - - „ ss.31to33.
Employment of civil prisoners - - - - - - „ s.34.
„ criminal prisoners - - - - - - „ s.35.
„ „ „ sentenced to simple imprisonment - - - - - „ s.36.
Health: treatment of sick prisoners - - - - - - „ s.37.
„ record of directions of medical officer - - - „ s.38.
„ hospital to be provided - - - - - „ s.39.
Compulsory vaccination of prisoners - - - - Bom.Act1,1892,s.33.
Visits to civil and unconvicted criminal prisoners: regulation of; search of visitors - - - - - - - Act 9,1894,sections40,41.
Prisoner subject to prison laws when being removed from or employed, etc., outside prison - - - - - - „ s.55.
Confinement in irons by superintendent - - - - „ s.56.
„ in fetters for limited time of prisoner under sentence of transportation - - - - - - „ s.57.
Restrictions on jailor putting prisoner in irons - - - „ s.58.
„ on medical grounds on removal and discharge of - „ s.26.
Offences by. *See below*, 4.

4. Offences and Penalties.

Penalty for unlawfully introducing liquor or intoxicating drug into jail or house of correction - - - - (Bo.Town)Act13,1856, s.49. (Cal.)Ben.Act4,1866,s.34.

PRISON—*cont.*

4. Offences and Penalties—*cont.*

Penalty for introduction or removal of prohibited articles into or from prison; penalty — Act 9, 1894, section 42.
„ „ unlawful communication with prisoner — „ s. 42.
Power to arrest for offence under s. 42 — „ s. 43.
Notification of acts prohibited by s. 42 and penalties therefor — „ s. 44.
Offences by prisoner:
List of prison offences — „ s. 45.
Punishment by superintendent — „ ss. 46 to 49.
„ medical officer in certain cases to certify to fitness of prisoner for — „ s. 50.
„ entry of, in punishment book — „ s. 51.
„ by Magistrate in serious cases — „ s. 52.
Whipping how to be inflicted — „ s. 53.
Offences by jailor or his subordinates; punishment of, by Magistrate — „ s. 54.

5. Miscellaneous.

Rules; power of Government to make, for working of Act — „ ss. 59, 60.
„ exhibition of copies of — „ s. 61.
Exercise of functions of superintendent or medical officer in his absence — „ s. 62.
Civil Jails in Bombay Presidency (outside City of Bombay):
Jail to be provided in each district — Bom. Act 2, 1874, section 9.
Nazir of District Court or Chief Court to be *ex-officio* keeper of jail; his responsibilities and establishment — „ s. 10.
Judge or Assistant Judge to visit jail and issue orders for management, etc. — „ s. 11.
Medical officer and his duties — „ s. 12.
Visits to prisoners — „ s. 13.
Regulations as to food, clothing and bedding for prisoners — „ s. 14.
Inquest on and disposal of body of prisoner dying in — „ s. 15 (am. Bom. Act 2, 1882, s. 1).
Disposal of subsistence money in hand on prisoner's death or release — „ s. 16 (am. Bom. Act 2, 1882, s. 2).
Expenses of maintaining jail to be provided by Government
Act 9, 1894, not to apply to; saving of Bom. Act 2, 1874, ss. 9 to 16 — Act 9, 1894, s. 1(4).
In what prison certain sentences of death passed out of British India are to be executed — Act 5, 1893, s. 2.
Military prisons. *See* ARMY, 4 (*d*) (4).
Convict settlement. *See* ANDAMAN AND NICOBAR ISLANDS.

PRISONER (ENGLISH LAW).
Restriction on removal after committal — 31 C. 2, c. 2, section 8. [1]
Removal to Colony, etc., for trial for offence committed there — „ s. 15. [1]
„ by *habeas corpus* after assizes proclaimed; restriction of — „ s. 17. [1]
Discharge of prisoners not brought to trial — „ s. 6. [1]
See also COLONIAL PRISONER.

[1] These sections are indexed because they are published in the Collection of Statutes relating to India.

PRISONERS ACT, 1871 - - - - - - - Act5.1871.
„ „ AMENDMENT ACT, 1882 - - - - Act9,1882.
„ TESTIMONY ACT, 1869 - - - - - Act15,1869.

PRISONER (INDIAN LAW).

1. Preliminary.

Act 15, 1869 (Prisoners' Testimony), declared in force—
throughout British India, except as regards the Scheduled Districts - - - - - - - - Act15,1874,s.3.
in the Santhál Parganas - - - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
in the Arakan Hill District - - - - - Reg.9,1874,s.3.
in Upper Burma generally (except the Shan States) - - Act20,1886,s.6.
in British Baluchistan - - - - - - Reg.1,1890,s.3.
in Angul and the Khondmals - - - - - Reg.1,1894,s.3.

Act 5, 1871 (the Prisoners' Act, 1871)—
extends to whole of British India - - - - Act5,1871,s.1.
declared in force in—
the Santhál Parganas - - - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
the Arakan Hill District (except ss. 3 to 15) - - Reg.9,1874,s.3.
Upper Burma generally (except the Shan States) - - Act20,1886,s.6.
British Baluchistan - - - - - - Reg.1,1890,s.3.
Angul and the Khondmals - - - - - Reg.1,1894,s.3.
Parts III and V (ss. 16 to 20, 30 to 32) applied to reformatories - Act5,1871,s.1(am.Act7, 1894,s.1).

Act 9, 1882 (amending the Prisoners Act, 1871)—
extends to whole of British India - - - - Act9,1882,s.1.
declared in force in— - - - - - - -
the Santhál Parganas - - - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
Upper Burma generally (except the Shan States) - - Act20,1886,s.6.

Act 10, 1886, s. 25 (amending Act 5, 1871), declared in force in—
the Santhál Parganas - - - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
Upper Burma generally (except the Shan States) - - Act20,1886,s.6.

2. Confinement, Removal and Discharge.

(1) Prisoners in Presidency-towns:
Writs and warrants for arrest issued by High Court to be executed by police-officer - - - - - - Act 5, 1871, section 3.
Superintendent to receive and keep prisoners:
Appointment and designation of superintendent - - „ s.4.
Duties of superintendent, and delivery of prisoners to him - „ ss.5to8,10to 15(s.14am. Act12,1891; s.15am.Act 7,1894,s.3).
Warrants under Regulations or Acts relating to State Prisoners may be directed to superintendent - - „ s.15.

PRISONER (INDIAN LAW)—*cont.*

2. Confinement, Removal and Discharge—*cont.*

(1) Prisoners in Presidency-towns—*cont.* :

Application of Murray Trust Fund for securing release of persons imprisoned in Calcutta for debt or for assisting criminal prisoners on discharge from Calcutta Jail - - Ben.Act2,1897.

(2) Prisoners in the Mufassal :

Officers in charge of prisons may give effect to sentences, orders or warrants of certain Courts or tribunals in or out of British India - - - - - - Act5,1871,ss.16(am.Act7, 1894,s.4),17.

Procedure where jailor doubts legality of warrant sent to him - „ s.18.

Power of Government to authorise imprisonment in British India of persons sentenced in Native State to imprisonment or transportation for certain offences; copy of conviction and proceedings to be forwarded - - - - „ ss. 19(am.Act4, 1894,s.5),20.

(3) Convicts sentenced to penal servitude :

Power to confine them in prison - - - - - „ s.21.

Acts and Regulations respecting convicts sentenced to transportation or to imprisonment with hard labour to be construed to apply to persons under sentence of penal servitude „ s.22.

Grant of license to, to be at large; apprehension of convict when license revoked; penalty for breach of condition in license - „ ss.23to29.

(4) Transported convicts :

Appointment of places for reception of persons sentenced to transportation; removal of such persons thereto - - „ s.33(am.Act 9,1882, s.2).

Power of Governor General in Council to make rules as to classification, confinement, etc., of - - - - „ s.34.

(5) Removal of prisoners :

From one jail to another - - - - - - „ ss.30,32(am. Act7,1894, ss.6,7).

From jail to lunatic asylum, etc. - - - - - „ s.31(am.Act 10,1886, s.25).

For purposes of Act 5, 1871, ss. 30, 31, the North-Western Provinces and Oudh to be deemed to be subject to same Local Government - - - - - - Act14,1878,s.6.

Removal of prisoners from civil to criminal jail, and return to civil jail - - - - - - - - Act10,1882,s.541A(ins. Act10,1886,s.15).

See also COLONIAL PRISONER.

(6) Bringing prisoners before Court :

Power of Criminal Court to order production of prisoner to [illegible] evidence or when charge made or pending against [illegible] procedure - - - - - - Act15,1869,ss.3,6,7,8(am. Act11,1889, s.98),Schs.A, B.

[illegible] Civil Court to order production of prisoner to give [illegible]nce; procedure - - - - - „ ss.4to8(am. Act11,1889, s.98),Sch.A.

[illegible]ders to be obeyed by officer in charge of jail, except in [illegible]s of sickness, etc. - - - - - „ ss.9,11.

PRISONER (INDIAN LAW)—*cont.*

2. Confinement, Removal and Discharge—*cont.*

(6) Bringing prisoners before Court—*cont.* :

Power of Government to exempt prisoners from removal under Act - - - - - - - - - Act15,1869,s.10.

Power of Presidency Magistrate to order prisoner in jail to be brought up for examination - - - - Act10,1882,s.542.

(7) Examination of prisoners in jail :

Power to issue commission for - - - - Act15,1869,ss.7(am.Act 11,1882,s. 98),12to14.

(8) Processes :

Service of process on prisoner in jail - - - - „ s.15(pt.rep.Act 10,1877), s.16. Act14,1882,ss.87,88.

(9) Discharge of convicts :

Power of Chartered High Court to discharge on his recognisance convict for whom it has recommended free pardon - Act5,1871,s.35.

(10) Miscellaneous provisions :

Deposit of costs before issue of order under Act 15, 1869, in civil case - - - - - - - - - Act15,1869,section17.

Power of Government to make rules for working of Act 15, 1869 „ ss.18,19.

Power of Local Government to declare who is the officer in charge of a jail, for purposes of Act 15, 1869 - - „ s.20.

Presidency Small Cause Courts and Presidency Magistrates deemed subordinate to Presidency High Court for purposes of Act 15, 1869 - - - - - - „ s.2.

Act 15, 1869, applied to youthful offenders. *See* YOUTHFUL OFFENDER.

Place of imprisonment or transportation of person convicted in Chittagong Hills - - - - - - - Act 22,1860,s.5.

Prisoners of State. *See* STATE PRISONER.

Military prisoners. *See* ARMY, 4 (*b*), (*d*) (4); INDIAN MILITARY AND NAVAL FORCES, III, 3 (*c*) (3).

See also PRISON, 3, 4, 5.

PRISONERS OF WAR (ESCAPE) ACT, 1812.[1] [*See* CRIMINAL LAW (ENGLISH)] - - - - - - - - - 52G.3,c.156.[2].

PRISONER OF WAR ; penalty for assisting escape of, etc. - - 52G.3,c.156.[2]. Act45,1860,ss. 128to130.

PRIVATE DEFENCE.

Right of - - - - - - - - - - Act45,1860,ss.96to106.

PRIVATE ESTATES.

Managed by Government; recovery of cost of management. *See* RATE AND CHARGES.

PRIVATE FISHERIES PROTECTION ACT, 1889. (*See* FISHERY) - -

PRIVATE FORESTS PRESERVATION REGULATION (AJMERE AND MERWARA), 1892. (*See* FOREST) - - - - -

PRIVATE FOREST. *See* FOREST, 4.

[1] This short title was given by 59 & 60 Vict. c. 14.
[2] This Act is indexed because it is published in the Collection of Statutes relating to India.

PRIVY.
Regulation of. *See cross-references from* DRAINS, LATRINES, ETC.

PRIVY COUNCIL.
Continuance of Council on death of Sovereign - - - 6A.c.41,s.8.[1]
See also JUDICIAL COMMITTEE.

PRIZE COURTS ACT, 1894 - - - - - - 57-8V.c.39.

PRIZE.

1831-2. 2-3 W. 4, c. 53, s. 29 (Conjunct Expeditions).
1833. 3-4 W. 4, c. 41, ss. 3, 31 (Appeal in Prize Causes).
1850. 13-4 V. c. 26 (Recapture from Pirates).
1864. 27-8 V. c. 25 (Naval).
1866. 29-30 V. c. 109, ss. 33 to 42 (Offences).
1870. 33-4 V. c. 90 (Illegal prize).
1890. 53-4 V. c. 27 (Colonial Courts of Admiralty).
1894. 57-8 V. c. 39 (Prize Courts).

1. Booty of War.

2. Naval Prize.

1. Booty of War.

Collection and distribution of. *See* ARMY, 6 (*c*); *and below*, 2 (*d*).

2. Naval Prize.

(*a*) *Right to Prize.*

Officers, etc., of Her Majesty's ships entitled only to such interest in prize as may be granted by Crown - - - - 27-8V.c.25,s.55(*1*).

(*b*) *Jurisdiction of Prize Courts.*

Jurisdiction of Admiralty Division in matters of prize throughout Her Majesty's dominions - - - - - „ ss.3,4.

Colonial Courts of Admiralty and Vice-Admiralty Prize Courts— - „ s.3.
53-4V.c.27.
57-8V.c.39,s.2.

salaries and pensions to judges of - - - - 27-8V.c.25,ss.10,11.
returns from, to Admiralty Division - - - - „ s.12.

Appeal in prize causes to Her Majesty in Council; powers of and procedure before Judicial Committee (*see also* JUDICIAL COMMITTEE) - - - - - - - - - 3-4W.4,c.41,ss.3,31.
27-8V.c.25,ss.5to8,43,45.
53-4V.c.27,ss.6,16,18, Schs.1,2.

Enforcement of orders on appeal - - - - - 27-8V.c.25,s.49.
Rules of Court by Order in Council as to procedure, fees, etc. - 57-8V.c.39,ss.3,4.
Officers of Courts not to act as advocates - - - - 27-8V.c.25,s.14.
Solicitors not to be concerned for adverse parties - - - „ s.15.
Appointment of persons to take oaths, etc., on high seas or abroad. *See* AFFIDAVIT.
Jurisdiction as to illegal prize. *See below*, (*g*).

(*c*) *Procedure in Prize Causes.*

Custody of ships taken as prize - - - - - „ ss.16,22.
Bringing in of ships' papers into Prize Court - - - „ s.17.
29-30V.c.109,s.38.
Monition, examination, adjudication - - - - 27-8V.c.25,ss.18to22,32.
Claim, appraisement, delivery on bail, sale - - - - „ ss.23to28.

[1] This Act is indexed because it is published in the Collection of Statutes relating to India.

PRIZE—*cont.*

2. Naval Prize—*cont.*

(*c*) *Procedure in Prize Causes*—cont.

Payment and disposal of proceeds of sale, etc. - - - 27-8 V. c. 25, s. 29.
Goods taken as prize - - - - - - „ s. 31.
Claim on appeal - - - - - - - „ s. 33.
Petitions by assorted joint captors - - - - - „ s. 36.

(*d*) *Special Cases of Capture.*

Capture in land expedition - - - - - - „ s. 34.
„ in conjunct expedition of land and naval forces [*see also* ARMY, 6 (*c*)] - - - - - - 2-3 W. 4, c. 53, s. 29.
„ in conjunct expedition with ally - - - - 27-8 V. c. 25, s. 35.
Purchase by Admiralty, without condemnation, of stores on foreign ship taken while carrying stores to enemy - - - „ s. 38.
Prize taken by ship not ship of war to be droits of Admiralty - „ s. 39.

(*e*) *Prize Salvage and Prize Bounty.*

Salvage by Her Majesty's ships. *See* NAVY, 4 (*b*).
Prize salvage on recapture of British ship, etc. - - - „ ss. 40, 41.
Salvage on property recovered from pirates [*see also* MERCHANT SHIPPING, 8 (*c*); PIRACY] - - - - - - 13-4 V. c. 26.
Prize bounty for destruction of ship of war - - - 27-8 V. c. 25, ss. 42 to 44.

(*f*) *Offences in relation to Prize.*

Reservation of prize for Her Majesty's disposal, on proof of offence by captors - - - - - - - - „ s. 37.
Perjury - - - - - - - - - „ s. 50.
Offences by persons subject to naval discipline:
Not bringing ship papers into Prize Court - - - 29-30 V. c. 109, section 38.
Taking money, etc., out of ship before condemnation - - „ s. 39.
Ill-using persons on board prize ship - - - - „ s. 40.
Taking prize by collusion, unlawfully agreeing for ransom, collusively restoring prize [*see also below*, (*g*)] - - „ s. 41.
Breaking bulk on board prize ship - - - - „ s. 42.
Forfeiture of share of capture by offender - - - „ ss. 38, 39, 42.

(*g*) *Miscellaneous.*

Regulation of ransom by Order in Council; jurisdiction of Admiralty Division as to agreements, etc. - - - - - 27-8 V. c. 25, section 45.
Customs, duties and regulations as to prize - - - - „ ss. 47 to 49.
Order in Council for execution of Naval Prize Act - - - „ ss. 53, 54.
Savings - - - - - - - - - „ s. 55.
Seizure, etc., and restoration by Admiralty Courts, of prize captured in violation of neutrality, or by ship equipped, etc., in violation of Foreign Enlistment Act; appeal - - - - 33-4 V. c. 90, ss. 14, 21, 22, 27, etc.
Ships under convoy. *See* MERCHANT SHIPPING, 1 (*e*); NAVY, 3 (*b*).

PRIZE MONEY.
See ARMY, 6 (*c*); INDIAN MILITARY AND NAVAL FORCES, I; NAVY, 4 (*b*), (*c*); PRIZE.

PROBATE AND ADMINISTRATION ACT, 1881. } (*See* ADMINISTRATION) - { Act5,1881.
" " " " 1889. } Act6,1889.

PROCEDURE OF COURTS.

See CIVIL PROCEDURE; CRIMINAL LAW AND PROCEDURE (ENGLISH); CRIMINAL PROCEDURE (INDIAN).

PROCESS, CRIMINAL. *See* CRIMINAL PROCEDURE (INDIAN), 5.

PROCESS-FEES.

High Court to make rules as to fees for serving and executing processes and as to remuneration of process-servers - - - { Act7,1870,s.20(pt.rep.in Punjab,Act17, 1887,s.2). (Bo.)Act14,1869,s.42.

Power of Local Government to make rules as to process-serving establishments, in supersession of rules made under Court-fees Act or Upper Burma Land and Revenue Regulation, 1889 - - { (L.B.)Act11,1889,s.89. (U.B.) Reg.1,1896,s.32.

Power of Recorder of Rangoon to make rules as to - - - (L.B.)Act11,1889,s.91(*2*).

Publication of table of - - - - - - { Act7,1870,s.21. (Bo.)Act14,1869,s.42.

Number of peons in—

District Courts and Presidency Small Cause Courts - - Act7,1870,section22.

Revenue Courts - - - - - - { " s.23(rep.in Punjab,Act 17,1887,s.2).

Bombay Civil Courts - - - - - - Act14,1869,s.42.

Madras City Civil Court - - - - - - Act7,1892,s.10.

Fees for summonses and warrants issued by Presidency Magistrate - Act4,1877,s.57.

PROCESSIONS.

Regulation of, by police. *See* POLICE, I, A, 3; D, 3; E, 3; F, 3; G, 3; J, 3.

PROFITS; definitions of. *See* WORDS AND PHRASES.

PROMISE; definitions of. *See* WORDS AND PHRASES.

PROMISSORY NOTE. *See* NEGOTIABLE INSTRUMENT.

PROOF; definitions of. *See* WORDS AND PHRASES.

PROPERTY.

Definitions of. *See* WORDS AND PHRASES.

None to be disseised or disinherited without due process of law - - - - - - - - - { 25E.1(*Mag.Car.*), c.29. 5E.3,c.9. 28E.3,c.3. } [1]

Not forfeited by loss of caste - - - - - - Act21,1850.

Power of Governor General in Council and Local Governments to transfer and acquire property and make contracts; mode of executing contracts and other deeds; actions to be carried on in name of Secretary of State for India in Council - - - 22-3V.c.41,ss.1,2,5,6.

Power of Governor General in Council to vary form of execution of such deeds - - - - - - - 33-4V.c.59,s.2.

Offences against. *See* CRIMINAL LAW (INDIAN), 15.

Immoveable; intervention of Magistrate in case of dispute concerning. *See* CRIMINAL PROCEDURE (INDIAN), 6(*d*).

[1] These Acts are indexed because they are published in the Collection of Statutes relating to India.

PROPERTY—*cont.*
See also STOLEN PROPERTY; TRANSFER OF PROPERTY; UNCLAIMED PROPERTY.
PROPERTY MARK. *See* MERCHANDISE MARKS.
PROPRIETARY ESTATES VILLAGE SERVICE ACT (MADRAS), 1894. (*See* VILLAGE) - - - - - - - - - Mad.Act2,1894.
PROPRIETOR; definitions of. *See* WORDS AND PHRASES.
PROTECTED FOREST. *See* FOREST, 3.
PROTECTION OF MUHAMMADAN PILGRIMS ACT, 1896. (*See* PILGRIM) Ben.Act1,1896.
„ PILGRIMS ACT, 1887. (*See* PILGRIM) - - Bom.Act2,1887.
PROVIDENT FUNDS ACT, 1897 - - - - - Act9,1897.
PROVIDENT FUND.
Act 9, 1897, extends to whole of British India, including British Baluchistan and Upper Burma - - - Act9,1897,s.1.
„ „ applies to Provident Funds of Government, or of Railway or Tramway Companies - - - „ s.2(3).
„ „ may be applied by notification to Provident Funds established for its employés by Local Authority - „ s.6.
Definitions - - - - - - - - - „ s.2.
Power, on death of subscriber or depositor, to pay to persons entitled sums not exceeding R2,000 - - - - - „ s.3.
S. 3 not to apply to estates of European soldiers or deserters - „ s.7.
Compulsory deposits in, not to be attached - - - - „ s.4.
Protection for things done in good faith under Act - - - „ s.5.
PROVINCE.
Definitions of. *See* WORDS AND PHRASES.
Power of Governor-General to constitute new - - - 24-5V.c.67,s.46.
PUBLIC.
Definitions of. *See* WORDS AND PHRASES.
See also PLACES OF PUBLIC RESORT.
PUBLIC ACCOUNTANTS. *See* PUBLIC OFFICER.
PUBLIC AUTHORITIES SEALS ACT (BOMBAY), 1883. (*See* SEAL) - Bom.Act5,1883
PUBLIC CONVEYANCE.

I.—BOMBAY PRESIDENCY.

1. Preliminary.

Bom. Act 6, 1863, applies to town, suburbs and harbour of Bombay Bom.Act6,1863,preamble.
„ „ „ may be extended to other towns and places by notification; power to alter scale of fees, dispose of balance of fees, confer powers on officers, and specify vehicles to which Act shall apply, in such towns or places - - - - „ s.34(am.Bom. Act5,1887).
„ „ „ applies to—
certain carriages plying for hire - - -
palanquins let for hire, and - - - „ s.1.
boats and other vessels carrying passengers for hire - - - - -
Definition of "attendant" - - - - - - „ s.36.
„ of "town and suburbs of Bombay" - - - „ s.37.

PUBLIC CONVEYANCE—*cont.*

I.—BOMBAY PRESIDENCY—*cont.*

2. Regulation.

Licensing, numbering and marking of public conveyances; affixing of plate showing list of fares; fees for licenses; penalties	Bom.Act6,1863,ss.2,4to 13,16.
Licensing of attendants; wearing of badge; penalties	,, ss.3to5,7to13, 15.
Bombay City Municipal Corporation to pay expenses of granting licenses under Bom. Act 6, 1863	Bom.Act3,1888,s.62(*b*).
Disposal of fees	Bom.Act6,1863,s.7(pt.rep. Act12,1876, Bom.Act3, 1888),s.34.
Registration of public conveyances	,, s.13.
Making and publication of rules for public conveyances	,, s.14.
Fares, hiring and plying for hire; penalties	,, ss.14,17to19, 21,22,28,29.
Licensee bound, when required by police-officer, to cause conveyance to ply for hire; penalty	,, s.25.
Restrictions on use of conveyance by person suffering from infectious disease, and subsequent inspection of conveyance, in Bombay City Municipality	Bom.Act3,1888,ss.428 to431.
Penalties on licensee, driver or attendant for obstruction or intoxication, misconduct, etc.	Bom.Act6,1863,ss.20,21.
Arrest of driver or attendant causing damage; compensation for damage	,, s.23.
Determination, by Magistrate or European police-officer, of dispute between hirer and driver or attendant; hirer and driver or attendant may require each other to proceed to Court or police-officer	s.24.
Appointment of stands	,, s.14.
Proceedings against owner when offence committed by driver or licensee	,, s.26.
Recovery of fines, etc.	,, s.27.
Compensation for groundless complaint	,, s.30.
Property left in conveyance how to be dealt with; penalty	,, s.31.
Arrest without warrant, and seizure of conveyance	,, s.32.
Convictions not open to appeal or reversal	,, s.35.

II.—OTHER PROVINCES.

See HACKNEY-CARRIAGE; PALANQUIN.

PUBLIC DEMANDS RECOVERY ACT, 1880	Ben.Act7,1880.
,, ,, ,, ,, 1895	Ben.Act1,1895.

PUBLIC DEMANDS.

I.—GENERALLY.

Recovery of, by the processes for recovery of arrears of land-revenue.
See cross references from COLLECTION OF LAND-REVENUE.

II.—ASSAM.[1]

1. Preliminary.

Powers conferred by Act are in addition to, and not in derogation of, powers conferred by other Acts	Ben.Act7,1880,s.2.

[1] Ben. Act 7, 1880, has been extended to the districts of Goalpara (excluding the Eastern Dwárs) and Sylhet in Assam by notification under the Scheduled Districts Act, 1874.

PUBLIC DEMANDS—*cont.*

II.—ASSAM—*cont.*

1. Preliminary—*cont.*

Definition of "Collector" - - - - - - Ben.Act7,1880, section4.

2. Recovery.

Power to make certificate for recovery of—
sums recoverable as arrears of revenue - - - -
sums due from sureties of farmer of estate - - -
arrears of rent payable to Government from raiyat or from person holding interest in land, pasturage, forest, fishery, etc. -
certain other sums - - - - - - } „ s.7(pt.rep.Act5, 1897),s.9(c), Sch.,Form2.

Requisition for certificate under s. 7 or s. 9; fee payable - - „ s.9,Sch.,Form3.

Certificate to have effect of decree of Civil Court, subject to other provisions of Act - - - - - - - } „ ss.8,9(d).

When certificate filed, notice to be issued to debtor; on service of notice, certificate to bind his immoveable property; transmission of copy of certificate to other districts - - - - } „ s.10,Sch.,Form4.

Power to attach and sell moveable property, to satisfy certificate - „ s.11.

Filing of objections to certificate, and hearing of same by Certificate Officer or by Revenue-officer to whom he may transfer petitions; costs - - - - - - - - } „ ss.12to15,18, Sch.,Form5.

Appeal to, and revision by, Revenue-authorities - - - „ ss.16,17.

Payment of amount due under certificate may be made by instalments - - - - - - - - } „ s.22(a).

When certificate may be enforced; interest recoverable - „ s.18.

Certificate may be enforced as a decree for money; procedure - „ ss.19,20.

Power of Court to set aside sale when it has set aside certificate - „ s.20.

Registration of certificates - - - - - - „ s.21.

Satisfaction of certificate to be entered in register and communicated to certain officers - - - - - - - } „ s.22.

Sums received by other officers in satisfaction of certificate to be remitted to the officer who made the certificate - - - } „ s.22(d).

Application of Act 18, 1850 (Protection of Judicial Officers), to certain officers acting under Ben. Act 7, 1880 - - - } „ s.23.

Control by Commissioners and Board of Revenue over officers - „ s.24.

Ben. Act 7, 1880, repealed, so far as it relates to recovery of arrears of land-revenue - - - - - - - } Reg.1,1886,s.2.

III.—BENGAL.

1. Preliminary.

Act does not extend to Angul - - - - - - *Ben.Act1,1895,section1.*

Powers conferred by Act are in addition to, and not in derogation of, powers conferred by other Acts - - - - - } „ s.2.

Definition of "District Collector," "Certificate Officer" and "Local authority" - - - - - - - - } „ s.4(am.Ben.Act 1,1897,s.4).

2. Recovery.

Power to make certificate for recovery of—
balance due for arrears of revenue after sale of estate or tenure or share thereof - - - - - - } „ s.5,Sch.,Form1.
arrears of revenue due from farmer of estate - - -

PUBLIC DEMANDS—*cont.*

III.—BENGAL—*cont.*

2. Recovery—*cont.*

Power to make certificate for recovery of—*cont.*

sums recoverable as arrears of revenue - - - - } Ben. Act 1, 1895, secs. 7, 9(3), Sch., Form 2 [am. Ben. Act 1, 1897, ss. 6, 8(3), 3(5), 17].
sums due from sureties of farmer of estate - - -
arrears of revenue or rent payable to Government from raiyat or from person holding interest in land, pasturage, forest, fishery, etc. - - - - - - -
certain other sums - - - - - -

Recovery of road cess or public works cess as public demand. *See* LOCAL RATES AND CESSES, B, 3.

Requisition for certificate under s. 7 or s. 9; fee payable - - } „ s. 9, Sch., Form 3 (am. Ben. Act 1, 1897, s. 8).

Certificate to have effect of decree of Civil Court, subject to other provisions of Act - - - - - - - } „ ss. 6(1), 8 (am. Ben. Act 1, 1897, s. 7), 9(4).

When certificates filed, notice to be issued to debtor; on service of notice, certificate to bind his immoveable property; transmission of copy of certificate to other districts - - - - } „ s. 10, Sch., Form 4.

Power to attach and sell moveable property, to satisfy certificate - „ s. 11.

Filing of objections to certificate, and hearing of same by Certificate Officer or by Revenue-officer to whom he may transfer petitions; costs - - - - - - - - - } „ ss. 12 to 14, 18 (am. Ben. Act 1, 1897, ss. 9, 11], Sch., Form 5.

Appeal to, and revision by, Revenue-authorities - - - } „ ss 32, 33 [am. Ben. Act 1, 1897, ss. 3(4), 11].

Suit for cancellation or modification of certificate - - - } „ ss. 6(2), 15 (am. Ben. Act 1, 1897, s. 5).

Grounds on which certificate may be cancelled or modified by Civil Court - - - - - - - - - } „ s. 17 (am. Ben. Act 1, 1897, s. 10).

Certificate when to become absolute - - - - - } „ ss. 6(3), 16 (pt. rep. Ben. Act 1, 1897, s. 3).

Payment of amount due under certificate may be made by instalments „ s. 25(1).

When and how certificate may be enforced; interest recoverable - } „ s. 19 (am. Ben. Act 1, 1897, s. 12).

Power to set aside sale of immoveable property - - - } „ ss. 20, 21, 23 (am. Ben. Act 1, 1897, ss. 3, 12, 14).

Powers in execution by whom to be exercised - - - } „ s. 22 (am. Ben. Act 1, 1897, ss. 11, 13).

Registration of certificates - - - - - - } „ ss. 24 to 26 (am. Ben. Act 1, 1897, s. 15).

Satisfaction of certificate to be entered in register and communicated to certain officers - - - - - - - } „ ss. 26, 27 (am. Ben. Act 1, 1897, ss. 15, 16).

PUBLIC DEMANDS—*cont.*

III.—BENGAL—*cont.*

2. Recovery—*cont.*

Sums received by other officers in satisfaction of certificate to be remitted to the officer who made the certificate - - - Ben. Act 1, 1895, section 28.

Application of Act 18, 1850 (Protection of Judicial Officers), to certain officers acting under Ben. Act 1, 1895 - - - „ s. 29 (am. Ben. Act 1, 1897, s. 11).

Control by Commissioners and Board of Revenue over officers - „ s. 30 (am. Ben. Act 1, 1897, s. 11).

Notices how to be served - - - - - - - „ s. 31.

Special provisions for Angul. *See* ANGUL, 5.

PUBLIC GAMBLING ACT, 1867.[1] (*See* GAMING) - - - Act 3, 1867.

PUBLIC OFFICER.

1794. Ben. Reg. 3, *ss.* 16 *to* 20 (Recovery of papers).
1803. Ben. Reg. 33, ss. 3 to 8 (Security; Recovery of papers).
1822. Mad. Reg. 7, s. 8 (*1*) (Appointment and Removal).
„ Mad. Reg. 9 (Inquiries).
1823. Mad. Reg. 3, s. 2 (2) (Inquiries).
1827. Ben. Reg. 3, s. 5 (Restitution).
1828. Mad. Reg. 7, ss. 3, 4, 6 (Inquiries).
1832. Mad. Reg. 3 (Inquiries).
1837. Act 36 (Inquiries).
1850. Act 12 (Public Accountants).
„ „ 18 (Protection of Judicial Officers).
„ „ 37 (Inquiries).
1860. Act 28, ss. 31, 32 (Inquiries).
1869. Bom. Act 14, s. 33 (Inquiries).
1872. Reg. 3, s. 3 (Laws, Santhál Parganas).
1874. Act 15, *ss.* 3, 4, 6, 7 (Laws Local Extent).
„ Reg. 9, s. 3 (Laws, Arakan Hill District).
1876. Act 18, s. 3 (Laws, Oudh).
1878. Act 11, s. 1 (Arms).
1879. Bom. Act 5, s. 2 (Repeal).
1880. Ben. Act 7, s. 23 (Public Demands, Assam).
1886. Act 20, s. 6 (Laws, Upper Burma).
„ Reg. 1, s. 2 (Repeal).
1890. Reg. 1, s. 3 (Laws, British Baluchistan).
1893. Mad. Act 5 (Inquiries).
1894. Reg. 1, 1894, s. 3 (Laws, Angul).
1895. Ben. Act 1, s. 29 (Public Demands, Bengal).
1896. Reg. 5, s. 3 (Laws, Chin Hills).
1897. Act 1, s. 4 (Short Titles).

Definitions of. *See* WORDS AND PHRASES.

Public Accountants:

Act 12, 1850, declared in force—
throughout British India, *except as regards* the Scheduled Districts - - - Act 15, 1874, s. 3.
in the Santhál Parganas - - - Reg. 3, 1872, s. 3 (am. Reg. 3, 1886).
„ „ repealed in part in Bombay Presidency - - Bom. Act 5, 1879, s. 2.
„ „ „ locally in Assam - - - - Reg. 1, 1896, s. 2.
Definition of - - - - - - - - Act 12, 1850, s. 3.
Security to be given by - - - - - - - „ ss. 1, 2.
Proceedings against, for loss or defalcation - - - „ ss. 4, 5.
Protection of judicial officers for acts done in good faith - - Act 18, 1850.
Act 18, 1850, declared in force—
throughout British India, except as regards the Scheduled Districts - - - - - - - - Act 15, 1874, s. 3.
in the Santhál Parganas - - - - - Reg. 3, 1872, s. 3 (am. Reg. 3, 1886).

[1] This short title was given by Act 5, 1897, *s.* 4.

PUBLIC OFFICER—*cont.*
Act 18, 1850, declared in force—*cont.*
in the Arakan Hill District - - - Reg.9,1874,s.3.
in Upper Burma generally (except the Shan States) Act20,1886,s.6.
in British Baluchistan - - - - Reg.1,1890,s.3.
in Angul and the Khondmals - - - Reg.1,1894.s.3.
in certain tracts in the Chin Hills - - - Reg.5,1896,s.3.
„ „ applied to certain officers acting under Public Demands Recovery Acts - - - - - - (As.)Ben.Act7,1880,s.23. (Ben.)Ben.Act1,1895, s.29.
Power of Government to order formal and public inquiry into imputation of misbehaviour by Government servant who is not removable from his appointment without sanction of Government Act37,1850,s.2(am.Act1, 1897,s.3).
Verification of accusation by accuser - - - - - - „ s.5.
Security from accuser - - - - - - - „ ss.6,7.
Who to hold inquiry - - - - - - - - „ s.3.
Procedure in inquiry - - - - - - - - „ ss.4,6,8to16, 18to20.
Conduct of prosecution by accuser at discretion to Government - „ ss.6,7.
Report to Government on conclusion of inquiry - - - „ s.21.
Powers of Government on receiving report - - - - „ s.22.
By what Government powers under Act exerciseable - - - „ s.23(am.Act 1,1897,s.4).
Act 37, 1850 (Inquiries into Behaviour of Public Servants), declared in force—
throughout British India, except as regards the Scheduled Districts - - - - - - - - Act15,1874,s.3.
in the Santhál Parganas - - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
in the Arakan Hill District (ss. 2 to 22 and 25, with modifications) - - - - - - - - - Reg.9,1874,s.3.
in Upper Burma generally, except the Shan States - - Act20,1886,s.6.
Act 37, 1850, not to affect certain other enactments; power to issue commission for trial under them - - - Act 37, 1850,s.24(rep.in Ben.andN.-W.P.,Act 16,1868).
„ „ not to affect authority of Government for suspending or removing public servant without inquiry under the Act - - - - - - - „ s.25.
„ „ short title given to - - - - - - Act1,1897,s.4.
Power of Local Government to depute officer to inquire into conduct of public servant; procedure on inquiry - - - Mad.Act5,1893.
Commission of inquiry into misconduct of Judge - - - (Bom.)Act14,1869,s.33.
Papers belonging to Government recoverable from native officers summarily by imprisonment and by attachment and sale of property - - - - - - - - - (Ben.)Ben.Reg.3,1794, ss.16to20(pt.rep.Ben. Act7,1880,s.3).
Security to be given by certain native officers - - - - (N.&O.)Ben.Reg.33,1803, s.2(pt.rep.Act12,1876; am.in O.,Act18,1876, s.3,Sch.II).
Money and papers belonging to Government recoverable from such native officers summarily by imprisonment and by attachment and sale of property - - - - - - (N.&O.)Ben.Reg.33,1803, ss.3to8(am.andpt.rep.in O.,Act18,1876,s.3,Sch. II).

PUBLIC OFFICER—*cont.*

Ben. Reg. 3, 1794, ss. 16 to 20, declared in force throughout Bengal, except as regards the Scheduled Districts	Act15,1874,s.6,andSch. IV(am.Act12,1891).
Ben. Reg. 33, 1803, declared in force in Oudh (with modifications)	Act18,1876,s.3,andSch. II(am.Act20,1890,s. 35,andAct12,1891).
When convicted of obtaining property by corruption or extortion, certified copy of conviction to be sufficient authority for enforcing restitution, and civil action need not be instituted	Ben.Reg.3,1827,s.5.
Ben. Reg. 3, 1827, s. 5[1] (Extortion), declared in force throughout Bengal and the North-Western Provinces, except as regards the Scheduled Districts	Act15,1874,ss.6,7.
Short title given to Ben. Reg. 3, 1827	Act5,1897,s.4.
Appointments and removals of native officers to be subject to rules and orders made by Local Government	Mad.Reg.7,1822,s.3(*1*).
Power of Collector to enquire summarily into and punish certain acts of malversation on the part of native officers and persons unlawfully assuming character of native officers; his powers and procedure for purposes of such enquiry and punishment	Mad.Reg.9,1822,ss.2,3(*1*) (*3*),4to8,13.
Power of Collector to issue search-warrant for discovery of accounts and documents	„ s.9.
Procedure for sale of property under Mad. Reg. 9, 1822	„ s.10.
Reimbursement of persons from whom money exacted or unjustly received by	„ s.12.
Revision by Board of Revenue of judgment by Collector under Mad. Reg. 9, 1822	Mad.Reg.3,1823,s.2(*2*)
Appeal to Board of Revenue from judgment or order under Mad. Reg. 9, 1822	Mad.Reg.7,1828,s.6.
Commission for revision of Collector's proceedings under Mad. Reg. 7, 1828:	
Appointment of	„ s.6(*3*).
Powers and procedure of	Mad.Reg.9,1822,s.15(*2*) to(*7*).
Restrictions on making reference to Court in respect of Collector's proceedings under Mag. Reg. 9, 1822	„ s.16. Mad.Reg.3,1832.
Power of Collector to refer to native officers for investigation cases of a petty nature under Mad. Reg. 9, 1822; powers and procedure of such officers	Mad.Reg.7,1828,s.4.
Delegation of powers of Collector to Assistant Collectors; his powers of control over their proceedings	„ s.3.
Certain Deputy Directors of Revenue Settlement invested with powers under Mad. Reg. 9, 1822, under control of Director	Act28,1860,s.31.
Mad. Regs. 7 of 1822 [s. 3 (*1*)], 9 of 1822, 3 of 1823, 7 of 1828 and 3 of 1832, and Acts 36 of 1837 and 28 of 1860, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts	Act15,1874,s.4.
Mad. Regs. 9, 1822, and 7, 1828, applied to servants of Survey and Settlement Departments	Act28,1860,s.32.
„ „ „ „ „ extended to embezzlement of public property and falsification, etc., of accounts, etc., relating thereto	Act36,1837.

[1] Ben. Reg. 3, 1827, s. 5, has been declared, by notification under the Scheduled Districts Act, 1874, to be in force in the District of Sylhet (Assam).

PUBLIC OFFICER—*cont.*
Exemption of, from prohibitions in Arms Act - - - Act 11, 1878, s. 1(*b*).
Suit by or against; procedure in. *See* CIVIL PROCEDURE, 4.
Offences by or relating to. *See* CRIMINAL LAW (INDIAN), 7, 9.
Power of High Court to enforce performance of certain duties by. *See* SPECIFIC RELIEF.
Sale of offices. *See* CRIMINAL LAW AND PROCEDURE (ENGLISH).
Trial of, in England. „ „ „ „ „ „
PUBLIC PROSECUTOR. *See* CRIMINAL PROCEDURE (INDIAN), 12 (1).
PUBLIC SERVANTS (INQUIRIES) ACT, 1850[1] - - - - Act 37, 1850.
PUBLIC SERVANT. *See* PUBLIC OFFICER.
PUBLIC TRANQUILLITY.
Offences against. *See* CRIMINAL LAW (INDIAN), 6.
PUBLIC WORKS.
Act 9, 1860 (Disputes between workmen and employers)—
to take effect only in places to which extended by Government - Act 9, 1860, s. 9.
declared in force in—
the Santhál Parganas - - - - - Reg. 3, 1872, s. 3 (am. Reg. 3, 1886).
Upper Burma generally (except the Shan States) - - Act 20, 1886, s. 6.
British Baluchistan - - - - - Reg. 1, 1890, s. 3.
Power to authorise Magistrate to decide disputes between employers and workmen engaged on construction of railway, canal or other public work, when amount in dispute does not exceed R200 - Act 9, 1860, ss. 1, 2 (pt. rep. Act 9, 1871).
Procedure under Act 9, 1860:
Local limits of Magistrate's jurisdiction; place of sitting - „ s. 3.
Application of Code of Civil Procedure - - - „ s. 4.
Bar to appeal - - - - - - - „ s. 5.
Order for payment of money recovery of such money - „ ss. 6, 7.
Power to fine workman, or order specific performance of his contract under penalty - - - - - - „ s. 8.
Loan for Basses Rocks and Minicoy Lighthouses - - - 35-6 V. c. 55. 44-5 V. c. 38, s. 10.
PUBLIC WORKS CESS. *See* LOCAL RATES AND CESSES, B.
PUBLIC WORKS LOANS ACT, 1881. (*See* PUBLIC WORKS) - - 44-5 V. c. 38.
PUBLICATIONS. *See* PRINTING PRESSES AND PUBLICATIONS.
PUNISHMENT.
See CAPITAL PUNISHMENT; CRIMINAL LAW AND PROCEDURE (ENGLISH); CRIMINAL LAW (INDIAN), 2; FORFEITURE; IMPRISONMENT.
PUNJAB.

1. Laws, etc.

Certain districts in, are Scheduled Districts - - - - Act 14, 1874, s. 1, Sch. I, Pt. V. Act 15, 1874, s. 2, Sch. VI, Pt. V.
Act 4, 1872, not to alter effect of Regulations made under 33 Vict. c. 3 (Government of India Act), s. 1 - - - - Act 4, 1872, s. 2.

[1] This short title was given by Act 1, 1897, s. 1.

PUNJAB —*cont.*

1. Laws, etc.—*cont.*

Certain Bengal Regulations declared in force (with modifications) to the exclusion of all others - Act 4, 1872, ss. 3, 4, Sch. I (pt. rep. Acts 6 of 1878, 10 of 1882, 8 of 1890 and 12 of 1891), Sch. II.

Rules of 1855 relating to Hill districts declared in force - „ s. 3, Sch. I.

2. Civil Justice.

Law to be administered; validation of customs - - - „ ss. 5 (am. Act 12, 1878, s. 1), 6, 7.

Continuance of rules of descent declared by Government in case of families of assignees of land-revenue - - - - „ s. 8.

Insolvency - - - - - - - - „ ss. 22 to 32.

3. Pre-emption.

Definition - - - - - - - - - „ s. 9

Presumption as to, and proof of, existence of right of - - „ ss. 10, 11 (am. Act 12, 1878, s. 2),

Exercise of right - - - - - - - - „ s. 12 (am. Act 12, 1878, s. 2, Act 12, 1891), ss. 13 to 15 (am. Act 12, 1878, s. 2).

Suit to enforce right - - - - - - - „ ss. 16, 16A (am. Act 12, 1878, s. 2).

Party to sale by joint owners cannot withdraw his share and claim pre-emption as to the rest - - - - - - „ s. 19.

Preferential right of co-sharers in well where chakdari tenure prevails - - - - - - - - „ s. 20.

4. Criminal Law and Police.

Indian Penal Code (except Ch. VI) applied to offences committed before 1st January 1862 - - - - - - „ s. 39.

Power to establish system of village-watchmen or municipal watchmen, and make rules as to appointment, duties, powers, etc., of such watchmen - - - - - - - „ s. 39A (am. Act 24, 1881, s. 2).

Power to impose tax to meet expenses of watchmen - - -

Obligation to assist watchmen and headmen; penalty for obstructing them - - - - - - - - „ s. 39B (am. Act 24, 1881, s. 2).

Power to charge police enrolled under Act 5, 1861, with duties of watch and ward, etc., and impose taxes to meet expenses; procedure for imposing and collecting such taxes - - - „ ss. 39C, 39D, 39E, 39F (ins. Act 15, 1875, s. 2).

Power to confer police-powers on any person, and withdraw such powers - - - - - - - - „ s. 40 (am. Act 17, 1878, s. 5).

Tracking offenders - - - - - - - „ ss. 41 42.

Regulation of entry into city, town or district of band of armed men or foreign vagrants - - - - - - „ ss. 44 (pt. rep. Act 12, 1878, s. 6), 45, 46, 50 (am. Act 15, 1875, s. 3).

PUNJAB—*cont.*

5. Miscellaneous.

Slaughter of kine and sale of beef prohibited except under rules made by Local Government	Act 4, 1872, ss. 43 (pt. rep. Act 12, 1878, s. 6) 50 (am. Act 15, 1875, s. 3).
Control over crossing of rivers or streams on buoys or inflated skins	„ ss. 47 (pt. rep. Act 12, 1878, s. 6), 50 (am. Act 15, 1875, s. 3).
Control over use of pasturage or other natural product of Government land	„ ss. 48, 50 (am. Act 15, 1875, s. 3).
Conditions of validity of future rules made under Act 4, 1872	„ s. 50A (ins. Act 15, 1875, s. 3).
Penalty for breach of rules made under Act 4, 1872	„ s. 50B (ins. Act 15, 1875, s. 3). Act 12, 1878, s. 7.
Periodical republication of rules made by Local Government under Act 4, 1872, and circulars issued by Chief Court	Act 4, 1872, s. 51 (am. Act 7, 1895, s. 4).

For further provisions enacted specially for the Punjab, see the appropriate heads.

QUARANTINE ACT, 1825.[1] (*See* INFECTIOUS DISEASE) — 6 G. 4, c. 78.

QUARANTINE. *See* INFECTIOUS DISEASE.

QUEEN; definitions of. *See* WORDS AND PHRASES.

RAILWAYS ACT (INDIAN), 1890 — Act 9, 1890.

„ „ „ 1894 — 57-8 V. c. 12.

RAILWAY ACT (SIND-PESHIN), 1887 — Act 11, 1887.

„ COMPANIES ACT (INDIAN), 1868 [1] — 31-2 V. c. 26.

„ „ „ „ 1873 [1] — 36-7 V. c. 43.

„ „ „ „ 1895 — Act 10, 1895.

„ PROTECTION ACT, 1886 — Mad. Act 4, 1886.

RAILWAY.

1868. 31-2 V. c. 26 (Debenture Stock).
1873. 36-7 V. c. 43 (Issue of shares).
1879. 42-3 V. c. 41 (Guaranteed Railway Companies).
1880. Ben. Act 9, s. 8 (Cesses).
1882. Act 10, s. 184 (Trial in Presidency-town).
1885. 48-9 V. c. 25, ss. 22 to 24 (Debenture bonds; Directors; Returns).
„ Act 13, s. 6 (Telegraph).
1886. Mad. Act 4 (Protection of Railways).
1887. Act 11 (Sindh-Peshin Railway).
1888. 51-2 V. c. 5 (Loans).
1889. Act 1, s. 8 (Metal Tokens).
1890. 53-4 V. c. 6 (Loans).
„ Act 9 (Railways).
„ Reg. 1, s. 3 (Laws, British Baluchistan).
1894. 57-8 V. c. 12 (Payment of interest out of capital).
1895. Act 10 (Payment of interest out of capital).

1. Preliminary.
2. Inspection of Railways.
3. Construction and Maintenance of Works.
4. Opening and closing of Railways.
5. Railway Commissions and Traffic Facilities.
6. Working of Railways.
7. Responsibility of Railway Administrations as Carriers.
8. Accidents.
9. Offences, Penalties and Procedure.
10. Miscellaneous and Local.

[1] This short title was given by 59 & 60 Vict. c. 14.

RAILWAY—*cont.*

1. Preliminary.

Definitions. (*See also* WORDS AND PHRASES) - - - 42-3V.c.41,s.1,Sch.2. 57-8V.c.12,s.2. Act9,1890,ss.3,148. Act10,1895,s.2. Mad.Act4,1886,s.2.

2. Inspection of Railways.

Inspectors; appointment, duties and powers of - - - Act9,1890,sections4,5.
„ deemed "public servants" - - - - „ s.5.
„ Railway-administration to afford facilities to - - „ s.6.

3. Construction and maintenance of works.

Authority of Railway-administration to execute all necessary works - „ s.7(am.Act 9,1896, s.1).
Saving of Land Acquisition Act, and contracts between Company and Government - - - - - - - - „ s.7.
Power to alter position of pipes, wires and drains - - - „ s.8.
Temporary entry on adjoining land, for repairing or preventing accident - - - - - - - - - „ s.9.
Compensation to be paid for damage caused; amount to be determined in accordance with Land Acquisition Act - - - „ s.10(am.Act 9,1896, s.2).
Accommodation works - - - - - - - „ ss.11,12.
Power of Governor General in Council to require—
provision of boundary-marks, fences, screens, gates, bars, etc. - „ s.13.
provision of over or under-bridges at level-crossing, and payment by Local Authority of cost thereof - - - „ s.14.
Power to remove tree dangerous to or obstructing working of railway; compensation - - - - - - - „ s.15.
Protection of railway from escape or overflow of water from irrigation works in Madras Presidency:
Collector may enter land and inspect irrigation-works, and order landholder to take necessary measures; landholder, tenants and other persons concerned to be heard - - *Mad.Act4,1886,ss.3to8.*
Execution of necessary measures by Government in default of landholder or in case of emergency; landholder to pay cost - „ ss.9to12,14,15.
Appointment of assessors to determine landholder's liability - „ s.13.
Compensation to landholders, tenants, etc., for loss or damage - „ ss.16to18.
Service of notices - - - - - - - „ s.19.
Delegation of Collector's powers - - - - - „ s.20.
Decision by Magistrate of disputes between employers and workmen engaged on construction of railway. *See* PUBLIC WORKS.

4. Opening and closing of Railways.

Locomotives or other motive power and rolling-stock; sanction required to use of - - - - - - - - Act9,1890,section16(*1*).
Rolling-stock not to be moved until general rules published - - „ s.16(*2*).
Notice to be given and sanction obtained before opening railway for public carriage of passengers or before opening certain works; report by inspector before giving sanction; power to dispense with this procedure by rule - - - - - „ ss.17to20,22.

RAILWAY—*cont.*

4. Opening and closing of Railways—*cont.*

Power of railway-servant to open railway for public carriage of passengers after accident, in absence of Inspector - - Act 9, 1890, section 21.
„ of Governor General in Council to close an opened railway, or direct discontinuance of use of defective rolling-stock, or impose conditions; re-opening of railway so closed, etc. - „ ss. 23, 24.
Delegation of powers of Governor General in Council to Inspector - „ s. 25.

5. Railway Commissions and Traffic Facilities.

(*a*) *Railway Commissions.*

Constitution of Commission; time and place of sitting; appointment of members - - - - - - - - - „ s. 26.
To take cognizance only of cases referred by Governor General in Council; cases which may be so referred - - - - - „ ss. 27, 28.
Reference to, of objections as to through rate for traffic on different lines; power of Commission - - - - - - - „ s. 42.
Procedure of Commission in deciding whether a lower charge amounts to undue preference - - - - - - - „ s. 43.
Reference to, as to sum payable as terminals - - - „ s. 43.
Sittings; president; powers of Commissioners; decision by majority; final order by injunction only; legal practitioners may be heard - „ ss. 29, 30.
Appeals from orders of - - - - - - - - „ ss. 31, 32, 40.
Assessors and their remuneration - - - - - - „ s. 33.
Power of Governor General in Council to make rules to regulate proceedings and prescribe fees - - - - - - - „ s. 34.
Costs; execution of orders; presumptions as to documents purporting to be signed by Commissioners - - - - - - - „ ss. 35 to 37.
Reports by Commissioners to Governor General in Council - - „ s. 38.
Dissolution of - - - - - - - - - „ s. 39.
Bar of jurisdiction of ordinary Courts - - - - - „ s. 40.

(*b*) *Traffic Facilities.*

Railway-administrations to afford reasonable facilities for receiving, forwarding and delivering traffic; not to make undue preference; through rates to be allowed; reference to Railway Commission of objections to rate, apportionment or route - - - - - „ s. 42.
Undue preference in case of unequal rates for like traffic or services; reference to Railway Commission - - - - - - - „ s. 43.
Ss. 42 and 43 of Act to apply in case of ships or boats being used which are not part of railway - - - - - - - „ s. 44.
Terminals may be charged - - - - - - - - „ s. 45
„ fixing of, by Railway Commission - - - - - „ s. 46.

6. Working of Railways.

(*a*) *Generally.*

General rules to be made, sanctioned, published and kept at stations, and inspection to be allowed - - - - - - „ s. 47.
„ „ to be published before rolling stock moved - - „ s. 16(2).
„ „ „ „ „ opening of railway sanctioned - „ s. 19(*e*).
Disposal by Governor General in Council of differences between Railway-administrations as to conduct of joint traffic - - - - „ s. 48.

RAILWAY—*cont.*

6. Working of Railways—*cont.*

(*a*) *Generally*—cont.

Power of Railway Company to make and carry into effect—
agreement with Secretary of State in Council or Governor General in Council or another Railway Company or Railway-administration for working railway, etc. — 42-3V.c.41,s.2 Act9,1890,s.50.
agreement with Secretary of State in Council as to telegraphs — 42-3V.c.41,s.3.
agreement with Secretary of State in Council or Governor General in Council for construction or leasing of rolling stock, etc. — 42-3V.c.41,s.4(*d*). Act9,1890,s.49.
Railway Company may, with sanction of Secretary of State in Council or Governor General in Council, maintain, etc., ferries, roads or bridges, and take tolls in respect thereof, and provide means of transport — 42-3V.c.41,s.4. Act9,1890,s.51.
Recovery of tolls by Railway Company — 42-3V.c.41,s.4.
Powers of Secretary of State in Council under 42-3 V. c. 41 may be delegated to Governor General in Council; powers cumulative; validation of past agreements — ,, ss.5to7.
Establishment and maintenance of telegraphs by Government — Act13,1885,s.6.
Returns of capital and revenue transactions and traffic to be forwarded to Governor General in Council — Act9,1890,section52.

(*b*) *Carriage of Property.*

Maximum load for wagon or truck — ,, s.53.
Railway-administration may impose conditions for working traffic; exhibition and inspection thereof — ,, s.54.
Railway-administration not bound to carry animal suffering from infectious or contagious disorder — ,, s.54(*3*).
Lien for rates, terminals and other charges; sale of property — ,, s.55.
Sale of unclaimed property after notice — ,, s.56.
Power to require indemnity on delivery of property or sale-proceeds, when several claimants or when ticket or receipt not produced — ,, s.57.
Requisitions for written account of description of goods — ,, s.58.
Carriage of dangerous or offensive goods — ,, s.59(*am.* Act9,1896, s.3).
Exhibition to the public of authority for quoted fares — ,, s.60.
Requisition on Railway-administration for details of gross charges — ,, s.61.

(*c*) *Carriage of Passengers.*

Communication between passengers and railway-servants in charge of train — ,, s.62.
Maximum number of passengers for each compartment — ,, s.63.
Reservation of compartments for females; one such compartment to be provided with closet — ,, s.64.
Exhibition of time-tables and tables of fares at stations — ,, s.65.
Ticket; supply of, on payment of fare — ,, s.66.
„ right of passengers who have taken tickets when train has not sufficient room for them — ,, s.67.
„ prohibition against travelling without pass or; exhibition and surrender of pass or — ,, ss.68,169.

RAILWAY—*cont.*

6. Working of Railways—*cont.*

(*c*) *Carriage of Passengers*—cont.

Ticket; return or season, not transferable	Act 9, 1890,	section 70.
Carriage of persons suffering from infectious or contagious disorder	„	ss. 47(*d*), 71.
Powre to make rules to provide for accommodation and convenience of passengers and carriage of luggage	„	s. 47(*b*).

See also below, 7.

7. Responsibility of Railway-administrations as Carriers.

Responsibility that of bailee under ss. 151, 152 and 161 of Contract Act, 1872; agreements limiting that responsibility; bar of English common law and Carriers Act, 1865	„	s. 72.
Pecuniary limit to responsibility for loss, etc., of animals of various kinds	„	s. 73 (am. Act 9, 1896, s. 4).
No responsibility for passengers' luggage unless railway-servant has booked it and given receipt	„	s. 74.
Articles of special value; declaration of value and payment of percentage for increased risk	„	s. 75, Sch. II.
Burden of proof in suit	„	s. 76.
Claim to compensation for loss, etc., when to be sent in	„	s. 77.
False description how far to exonerate Railway-administration from responsibility	„	s. 78.
Settlement of compensation for injuries to officers, soldiers and followers travelling on duty on Government railway	„	s. 79.
Suit for compensation for injury to passenger or property booked through may be brought against any of the Railway-administrations concerned	„	s. 80.
Contract for carriage partly by sea: condition exempting from loss, etc., by act of God, King's enemies, etc., to be implied; responsibility to be that of owner under Merchant Shipping Act, 1894; burden of proof	„	s. 82.

8. Accidents.

Report of, by Railway-administration to Local Government and Inspector; notice by railway-servant to Magistrate and police	„	s. 83.
Power to make rules as to notices and duties of railway-servants' police-officers, Inspectors and Magistrates	„	s. 84.
Duty of Inspector to make enquiries	„	s. 4(*c*).
Temporary entry on adjoining land, for repairing or preventing accident	„	s. 9.
Power of railway-servant to open railway for public carriage of passengers after accident, in absence of Inspector	„	s. 21.
Return of accidents to be sent by Railway-administration to Governor General in Council	„	s. 85.
Compulsory medical examination of person injured; costs	„	s. 86.

9. Offences, Penalties and Procedure.

(*a*) *Offences involving forfeiture by Railway Companies.*

Forfeiture for not complying with requisition to provide boundary-mark, fence, screen, gate, bar, etc.	„	s. 87.
„ „ moving rolling-stock before general rules published or opening or using railway or work without sanction and inspection or certificate and notice	„	s. 88.

RAILWAY—*cont.*

9. Offences, Penalties and Procedure —*cont.*

(*a*) *Offences involving forfeiture by Railway Companies*—cont.

Forfeiture for not keeping documents open to inspection or conspicuously posted	Act 9, 1890,	section 89.
,, ,, not making general rules	,,	s.90.
,, ,, not complying with decision of Governor General in Council as to conduct of joint traffic	,,	s.91.
,, ,, not submitting return of capital and revenue transaction, traffic or accidents	,,	s.92.
,, ,, contravening s. 53 or s. 63, as to maximum load of wagon or truck or maximum number of passengers in compartment	,,	s.93.
,, ,, not providing approved means of communication between passengers and railway-servants in charge of train	,,	s.94.
,, ,, not reserving compartments for females or providing closets therein	,,	s.95.
,, ,, not giving prescribed notices of accident	,,	s.96.
Remission of forfeitures	,,	s.97.

(*b*) *Other Offences.*

Railway-servant not exhibiting authority for quoted fares	,,	s.39.
,, intoxicated on duty, or endangering safety of any person	,,	ss.100,101.
,, compelling passenger to enter carriage already full	,,	s.102.
,, not giving prescribed notices of accident	,,	s.103.
,, obstructing level crossing	,,	s.104.
,, failing to separate from other passengers passenger suffering from infectious or contagious disorder	,,	s.117(2).
Passenger needlessly interfering with means of communication with railway-servant in charge of train	,,	s.108.
,, entering compartment reserved or already full, or resisting entry of another passenger into compartment not reserved or full	,,	s.109.
,, smoking in compartment	,,	s.110.
,, fraudulently travelling without proper pass or ticket	,,	ss.112,113.
,, transferring or purchasing half of return ticket	,,	s.114(am. Act 9,1896,s.6).
,, altering or defacing ticket	,,	s.116.
,, travelling without permission while suffering from infectious or contagious disorder	,,	s.117(1).
,, entering or leaving carriage in motion, or travelling on roof, footboard, etc.	,,	s.118.
Breach of rule	,,	s.47(2).
Signing false return	,,	s.10.
Giving false account of goods	,,	s.10.
Bringing dangerous or offensive goods on railway without notice	,,	s.107.
Defacing notice	,,	s.111.
Entering carriage or other place reserved for females	,,	s.119.
Intoxication, committing nuisance, etc.	,,	s.120.
Obstructing railway-servant; trespass	,,	ss.121,122.

RAILWAY—*cont.*

9. Offences, Penalties and Procedure—*cont.*

(*b*) *Other Offences*—cont.

Driver of tramcar, carriage, etc., disobeying railway-servant	Act 9, 1890, section 123.
Opening or not properly shutting gate, etc.	„ s.124.
Cattle-trespass; application of Cattle-trespass Act, 1871	„ s.125.
Wrecking or attempting to wreck train, or throwing stone, etc., at train, or otherwise endangering safety of persons travelling, or obstructing rolling-stock; minors under 12 punishable	„ ss.126 to 130.

(*c*) *Procedure.*

Recovery of sums forfeited by Railway Company	„ ss.97,98.
„ of sums payable by passenger travelling without pass or ticket, etc.	„ s.113.
„ of fines for cattle-trespass	„ s.125(*3*).
„ of amount of bond to prevent offence by minor	„ s.130(*2*).
Payment to Railway-administration of portion of fine imposed on passenger for travelling without proper pass or ticket	„ s.115.
Arrest without warrant	„ ss.131,132.
Magistrates having jurisdiction; place of trial	„ ss.133,134.
Offences, wherever committed, may be tried in Presidency-town	Act 10, 1882, s.184.

10. Miscellaneous and Local.

Claim to refund of overcharge when to be sent in	Act 9, 1890, section 77.
Control over taxation of Railways by Local Authorities	„ s.135.
Sanction of Governor General in Council required to levy of road cess or public works cess	Ben. Act 9, 1880, s.8.
Sanction of Governor General in Council required to execution against railway property	Act 9, 1890, s.136 (am. Act. 9, 1896, s.7).
Railway-servant included in Penal Code, Chapter IX (offences by or relating to public servants); not to buy property sold under Act, or to engage in trade	„ s.137.
Summary recovery of railway property detained by railway-servant or his representative	„ s.138.
Communications from Governor General in Council or Local Government by whom to be signed	„ ss.139,144(*2*).
Service of notices, etc., on or by Railway-administration	„ ss.140 to 142.
Rules; publication, notification, cancellation and variation of	„ s.143.
Delegation of powers of Governor General in Council to Local Government	„ s.144.
Representation of Managers and Agents of Railways in Courts	„ s.145.
Power to extend Act to tramway worked by mechanical power	„ s.146.
„ to exempt railway from Act	„ s.147.
Payment by Railway Company of interest out of capital:	
Power to pay interest, under certain restrictions	57-8 V. c. 17, ss.3,4. Act 10, 1895, ss.3,4.
Notice to be given in prospectus and other documents; accounts to show interest	57-8 V. c. 12, ss.5,6. Act 10, 1895, ss.5,6.
Construction of borrowing powers	57-8 V. c. 12, s.7. Act 10, 1895, s.7.
Sanction of past payments; duration of Act	57-8 V. c. 12, ss.8,9.

RAILWAY—*cont.*

10. Miscellaneous and Local—*cont.*

Prohibition of receipt by Railway-administration, as money, of metal which is not coin - - - - - - - - Act1,1889,s.8.

Sind-Peshin Section of North-Western Railway :

Act 9, 1890, to apply only so far as extended by notification - Act11,1887,s.3(am.Act9, 1890,s.2).

Carriage of passengers and property permissive only; power to impose conditions and restrictions - - - „ s.4.

Government not liable for injury or loss, unless it has notified acceptance of responsibility - - - - - „ s.5.

Act 11, 1887, declared in force in British Baluchistan - - Reg.1,1890,s.3.

Railway Companies (*see also* FINANCE):

Issue of debenture stock by - - - - - - 31-2V.c.26.

„ „ „ bonds payable to bearer or order, etc. - 48-9V.c.25,s.23.

„ registration, and transfer of shares, stock, etc. - - 36-7V.c.43.

Power of Secretary of State to appoint deputy Government directors - - - 48-9V.c.25,s.22.

„ „ „ to require returns, etc. - - „ s.24.

„ „ „ to borrow for purchase of Oudh, etc., and South Indian railways and for construction of railways 51-2V.c.5. 53-4V.c.6.

See also EAST INDIAN RAILWAY COMPANY; INDUS VALLEY STATE RAILWAY; OUDH AND ROHILKHAND RAILWAY; PROVIDENT FUND; SOUTH INDIAN RAILWAY.

RAILWAY COMMISSION. *See* RAILWAY, 5 (*a*).

RAIN-GAMBLING ACT (BENGAL), 1897. (*See* GAMING) - - Ben.Act3,1897.

RAIN-GAMBLING.

Acts for prevention of - - - - - - - Ben.Act3,1897. Bom.Act1,1890.

RAIPUR AND KHATTRA.

Laws in force in Bankura district to apply to - - - Act19,1879,s.2.

No longer a Scheduled District - - - - - „ s.4.

RANGOON.

Modification of Telegraph Act in its application to - - - Act13,1885,s.34(ad.Act11, 1888).

Recorder. *See* RECORDER OF RANGOON.

Small Cause Court. *See* SMALL CAUSE COURTS, B, 5.

Tramway. *See* TRAMWAYS, A.

Water-supply. *See* MUNICIPALITY, II, 6 (*j*).

RAPE.

By husband on child wife; what police-officers to investigate and what Magistrates to try - - - - - - Act10,1882,s.561(ad.Act10, 1891,s.2).

See also CRIMINAL LAW (INDIAN), 14 (*b*).

RATE; definitions of. *See* WORDS AND PHRASES.

RATE AND CHARGES.

On private estates managed by Government, to cover cost of management, etc.

Act 10, 1892, extends to whole of British India, including British Baluchistan and Upper Burma - - - - - Act10,1892,s.1.

RATE AND CHARGES—*cont.*

On private estates managed by Government, to cover cost of management, etc.—cont.

Definitions	Act 10, 1892,	s.2.
Power to levy rate to cover cost of establishments and contingent expenses	„	s.3.
„ „ charges for legal advice or auditing of accounts	„	s.4.
Act not to apply to special expenditure	„	s.5.
Validation of past rates	„	s.6.
Power of Local Government to make rules and orders for working of Act	„	s.7.
Questions of cost exempted from jurisdiction of Civil Courts	„	s.8.

RATES AND CESSES. *See* LOCAL RATES AND CESSES.

RECEIVER.

Appointment of. *See* CIVIL COURTS, XII, B, 3; CIVIL PROCEDURE, 5.

RECOGNIZED AGENT; definitions of. *See* WORDS AND PHRASES.

RECORDER OF RANGOON.

Appointment of; place of sitting; seal	Act 11, 1889,	section 37.
Appointment, etc., of Additional Recorder	„	ss.60,61.
Civil jurisdiction of:		
Local limits of, and extent of	„	ss.38,39.
Law to be administered by Recorder	„	s.4.
Appeal to High Court, Calcutta, when to lie	„	s.40.
New trial or review by Recorder	„	s.41.
Reference of cases to High Court, Calcutta, when question of law, etc., raised	„	s.42.
Procedure where Recorder is personally interested	„	s.43.
Recorder to be High Court for purposes of Suits Valuation Act, 1887, and in respect of Rangoon Small Cause Court	„	s.44.
Criminal jurisdiction of:		
Recorder to be Sessions Judge	„	s.45.
„ to be High Court for whole of Burma (including Shan States) in reference to proceedings against European British subjects	„	s.46(*1*).
Confirmation by High Court, Calcutta, of capital sentence passed on European British subject	„	s.46(*2*),(*3*).
Reference to High Court, Calcutta, of case against European British subject when question of law, etc., raised	„	ss.42,46(*4*).
Act 11, 1889, s. 46, to come into force in Shan States notwithstanding Acts 20, 1886, and 15, 1888	„	s.47.
Recorder to be High Court for certain purposes	„	s.48.
Insolvency jurisdiction of:		
Recorder to have, in Rangoon and Moulmain, powers of High Court, Calcutta, as regards insolvency; application of 11 and 12 Vict. c. 21; official assignee; Recorder's orders to run throughout British India; appeal to Special Court; Recorder's power to make rules; instruments exempted from stamp duty	„	s.50.
Power to vest Recorder's jurisdiction, as regards Moulmain, in Judge of the Town of Moulmain; power of Recorder to withdraw cases from that Judge	„	s.51.

RECORDER OF RANGOON—*cont.*
Insolvency jurisdiction of—*cont.*:
Chapter XX (ss. 344 to 360A) of Code of Civil Procedure (Act 14, 1882) not to apply to Rangoon or Moulmain - - — Act11,1889,s.52. Act14,1882,s.6(*d*)(am. Act12,1891).
Power to make rules as to remuneration of official assignee, etc. - — Act11,1889,s.91(2).
Court of, declared to be a Colonial Court of Admiralty - - — Act16,1891,s.2.
Registers, returns, etc., to be kept and furnished by - - - — Act11,1889,section54.
Ministerial officers of Court of - - - - - - — „ ss.55,56,88.
Discharge of functions of Recorder in case of vacancy in his office - — „ s.57.
Transfer of civil cases to - - - - - - - — „ s.58.
Transfer of civil or criminal cases from, to Judicial Commissioner - — „ s.59.
Power of, to make rules of practice, etc. - - - - - — „ ss.91(2),92.
Holidays - - - - - - - - - — „ s.94.
Rules to be published in Burma Gazette - - - - - — „ s.96.
Licensing of advocates by. *See* LEGAL PRACTITIONER, 5.

RECORDS.
Mad. Reg. 13, 1802, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts - - — Act15,1874,s.4.
Preservation of records of Courts - - - - - - — Mad.Reg.13,1802,ss.2,4to 9,15.
Act 3, 1879, extends to whole of British India - - - — Act3,1879,s.1.
„ „ declared in force in—
the Santhál Parganas - - - — Reg.3,1872,s.3(am.Reg 3, 1886).
Upper Burma generally, except the Shan States (ss. 2, 4, 5, 7 and 8) - - - — Act20,1886,s.6(am.Act18, 1888,s.7).
Power of High Court and Chief Controlling Revenue Authority to make rules for disposal of, by destruction or otherwise - - — Act3,1879,section7(am.in Burma,Act18,1888, s.7;inOudh,Act20, 1890,s.38).
Power to make rules as to keeping of. *See* OUDH, 6.
Custody of. *See* AJMERE, 4; CENTRAL PROVINCES, 3.
Custody and destruction of. *See* DEKKHAN AGRICULTURIST, 4.
Revenue-records:
In Ajmere. *See* LAND-REVENUE, II, 3.
„ Assam. „ „ III, A, 4 (*b*).
„ Santhál Parganas. „ „ IV, 3 (*a*).
„ Bombay Presidency. „ „ A, 4; B; C, 2.
„ Central Provinces. „ „ XI, 3 (*d*), 4 (*b*).
„ Coorg. „ „ XII, 3.
„ N.-W. Provinces. „ „ XV, 4 (*b*).
„ Oudh. „ „ XVI, 3, 4(*b*).
„ Punjab. „ „ XVII, 4 (*b*).
Record-of-rights:
In Bengal. *See* LANDLORD AND TENANT, III, A, 4.
„ Santhál Parganas - - - - - - — Reg.3,1872,ss.12to14.
„ Assam. *See* LAND-REVENUE, III, A, 3 (*d*).
„ Upper Burma. „ „ X, 4.
„ Central Provinces. „ „ XI, 3 (*d*), 4(*b*).
„ N.-W. Provinces. „ „ XV, 3, 4(*b*).
„ Punjab. „ „ XVII, 4 (*b*).

RECOVERY OF LAND-REVENUE.
See cross-references from COLLECTION OF LAND-REVENUE.

RECUSANT WITNESSES ACT, 1853[1] - - - - - - Act19,1853.

RECUSANT WITNESS.
Act 19, 1853, s. 26,[2] declared in force—
throughout Bengal and the North-Western Provinces, except as regards the Scheduled Districts - - - - Act15,1874,ss.6,7.
in Oudh - - - - - - - - - Act18,1876,s.3.
Act 10, 1855, s. 10, declared in force throughout the Presidencies of Madras and Bombay, except as regards the Scheduled Districts - Act15,1874,ss.4,5.
Liability to damages where party or witness neglects to obey summons or, being in Court, refuses to give evidence or produce document - - - - - - - - - Act19,1853,s.26(pt.rep. Act12,1891). Act10,1855,section10.

RED SEA AND INDIA TELEGRAPH COMPANY.
Transfer of property of; charge on Consolidated Fund of *terminable* annuity for shareholders; contribution out of revenues of India - 35-6V.c.39.

REFORMATORY SCHOOL ACT, 1897 - - - - - - *Act8,1897.*

REFORMATORY SCHOOL.
Act extends to whole of British India except Coorg and Punjab, and may be extended to those provinces by notification - - Act8,1897,section1.
Definitions - - - - - - - - - „ s.4.
Power to establish and maintain - - - - - „ s.5.
„ use as, school kept by private person - - - „
„ discontinue - - - - - -
Requisites of - - - - - - - - „ s.6.
Inspection of, before use - - - - - - „ s.7(*1*).
Visiting of, by Inspector-General; report by him to Local Government - - - - - - - - „ s.7(*2*).
Appointment of Superintendent and Committee of Visitors or Board of Management; constitution of Committee or Board; suspension or removal of Superintendent or member - - - - „ s.17.
Duties of Committee of Visitors - - - - - „ s.23.
Powers of Board of Management, generally - - - - „ s.24.
„ „ „ for making rules - - - „ s.26(*1*).
Power to appoint Trustees or Managers of any school to be Board of Management of - - - - - - - - „ s.25.
Power of Local Government to make rules for - - - „ s.26(*2*).
Offences and penalties - - - - - - - „ ss.27,28.
See also YOUTHFUL OFFENDER.

REFORMATORY SETTLEMENTS FOR CRIMINAL TRIBES. *See* CRIMINAL TRIBES, 2.

REGIMENTAL DEBTS ACT, 1893. [*See* ARMY, 6 (*e*) (2)] - - 56-7V.c.5.

REGISTERED; definitions of. *See* WORDS AND PHRASES.

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES (ARMY) ACT, 1879 - - - - - - - - - 42-3V.c.8.

REGISTRATION OF BIRTHS, DEATHS, MARRIAGES, DIVORCES, ETC.
1870. Act 8, ss. 2, 3 (Female Infanticide).
1870. Ben. Act 6, s. 39 (*7*) (Chaukidars, Assam and Bengal).

[1] This short title was given by Act 5, 1897, s. 4.
[2] Act 19, 1853, s. 26, has been declared in force in Assam (except the North Lushai Hills) by notification under the Scheduled Districts Act, 1874.

REGISTRATION OF BIRTHS, DEATHS, MARRIAGES, DIVORCES, ETC.—*cont.*

1872. Reg. 3, s. 3 (Laws, Santhál Parganas).
1873. Ben. Act 4 (Births and Deaths, Assam and Bengal).
1876. Ben. Act 1 (Marriages and Divorces of Muhammadans, Assam and Bengal).
1879. 42-3 V. c. 8 (Army).
1880. Act 2, ss. 14, 15 (Rural Police, Lower Burma).
1883. Reg. 1, s. 18 (*9*) (Rural Police, Assam).
1886. Act 6 (General).
1887. Reg. 14, s. 5 (Village Headmen, Upper Burma).
1889. Act 3, s. 6 (Village Headmen, Lower Burma).
„ Act 13, s. 26 (*26*) (Cantonments).
1890. Reg. 1, s. 3 (Laws, British Baluchistan).
1891. Reg. 6, s. 5 (Towns, Upper Burma).
1892. 55-6 V. c. 23, ss. 9 to 11, 17, 18, 24 (Marriages out of United Kingdom).
1894. 57-8 V. c. 60, ss. 254, 339 (Merchant Shipping).

A.—GENERALLY
- **1. Preliminary.**
- **2. General Registry Offices of Births, Deaths and Marriages.**
- ***3. Registration of Births, Deaths and Marriages.***
- **4. Past registers or records of Births, Baptisms, Namings, Dedications, Deaths, Burials and Marriages.**
- **5. Miscellaneous.**

B.—ASSAM AND BENGAL
- **1. Registration of Births and Deaths.**
- **2. Voluntary registration of Muhammadan Marriages and Divorces.**

A.—GENERALLY.

1. Preliminary.

Act 6, 1886, extends to whole of British India and, as regards British subjects, to Indian States in alliance with Her Majesty — Act 6, 1886, s. 2.
„ „ declared in force in British Baluchistan — Reg. 1, 1890, s. 3.
„ „ not to affect local laws as to registration of births and deaths — Act 6, 1886, section 4.
Definitions — „ s. 3.

2. General Registry Offices of Births, Deaths and Marriages.

Establishment of offices and appointment of Registrars General — „ s. 6.
Indexes to be kept at — „ s. 7.
Inspection of indexes, and granting of copies from registers; such copies to be admissible in evidence — „ ss. 8, 9.
Superintendence of Registrars by Registrar General — „ s. 10.

3. Registration of Births, Deaths and Marriages.

Persons whose births and deaths registerable under Act 6, 1886 — „ s. 11.
Registrars; appointment, etc., of — „ ss. 12 to 15, 17.
„ office of, and Registrar's attendance thereat — „ s. 16.
Register-books, and preservation of records — „ s. 18.
Registrar to register births and deaths — „ ss. 19, 26.
Who may give notice of birth or death; signature of entry by informant — „ ss. 20 to 22.
Penalty for false information — „ s. 27.
Grant of certificate of birth or death — „ s. 23.
Correction of errors in registers — „ s. 28.
Sending of certified copies of entries to Registrar General — „ ss. 24, 28 (*2*)

REGISTRATION OF BIRTHS, DEATHS, MARRIAGES, DIVORCES, ETC.—*cont.*

A.—GENERALLY—*cont.*

3. Registration of Births, Deaths and Marriages—*cont.*

Searches; grant of copies of entries; copies to be evidence - - Act6,1886,s.25.

Registration of births and deaths in ships - - - - 57-8V.c.60,ss.254,339, Sch.VIII.

Power to make rules for registration of births and deaths in cantonments - - - - - - - - Act13,1889,s.26.

Registration of births and deaths to be under management of Local Self-government Boards in Bengal. *See* LOCAL SELF-GOVERNMENT, III, 3.

Registration of births, marriages and deaths by District and Local Boards, Punjab. *See* LOCAL SELF-GOVERNMENT, VIII, 3.

Registration of births and deaths in municipalities:

U. B.	*See* MUNICIPALITY,	III, 6.	
As.	,,	,,	IV, 6 (*n*); V, 6 (*p*).
Ben. Districts.	,,	,,	V (*p*).
Cal.	,,	,,	VI (*s*).
Mad. Districts.	,,	,,	XII, 6 (*t*).
,, City.	,,	,,	XIII, 6 (*r*).

Registration of births, marriages and deaths in municipalities:

Aj., L. B., C. P.	*See* MUNICIPALITY,	II, 6 (*s*).	
Bom. Districts.	,,	,,	VII, 6 (*r*).
,, City.	,,	,,	VIII, 6 (*q*).
Coorg and N.-W P.	,,	,,	IX, 6.
N.-W. P. & Oudh.	,,	,,	X, 6 (*h*).
Punjab.	,,	,,	XIV, 6 (*s*).

Registration of births, marriages and deaths under Infanticide Act - Act8,1870,ss.2,3.

Village headmen to register births and deaths - - - (L.B.)Act3,1889,s.6(*k*). (U.B.)Reg.14,1887, s.5(*k*).

Headman of ward to register births and deaths - - - (U.B.)Reg.6,1891,s.5(*g*).

Rural police to keep register of births, marriages and deaths - (L.B.)Act2,1880,ss.14(*f*), 15(rep.locally,Act3, 1889,s.1).

Duties of registrar in connection with vaccination of children:

As. & Ben.	*See* VACCINATION,	II, 3.	
Bom.	,,	,,	III, 3.

Transmission to Registrar General of registers of or documents showing births, deaths, and marriages of officers, soldiers and their families abroad; record of entries and evidence - - 42-3V.c.8.

Marriages by or before marriage officers, or solemnized under local law out of United Kingdom; registration of, in duplicate; transmission of certified copies of entries to Secretary of State; custody of register books, etc. - - - - - 55-6V.c.23,ss.9to11,17, 18,24.

Registration of marriages. *See also* MARRIAGE, II, A, 3; II, B, 3; II, C, 2; II, E.

4. Past registers or records of Births, Baptisms, Namings, Dedications, Deaths, Burials and Marriages.

[redacted]rmission to send them to Registrar General before 1st April, 1891 - - - - - - - - - Act6,1886,s.32(am.Act16, 1890,s.1).

REGISTRATION OF BIRTHS, DEATHS, MARRIAGES, DIVORCES, ETC.—*cont.*

A.—GENERALLY—*cont.*

4. Past registers or records of Births, Baptisms, Namings, Dedications, Deaths, Burials and Marriages—*cont.*

Appointment of Commissioners to examine them; Commissioners to prepare lists, etc.	Act 6, 1886, sections 33, 34.
Searches of such lists, and grant of copies of entries; such copies to be evidence	„ s.35.
Power to appoint additional Commissioners	„ 35A (ad. Act 16, 1890, s.2).

5. Miscellaneous.

Rules; general power to make, for working of Act 6, 1886	„ s.36.
„ publication of	„ s.37.
Powers conferred by Act 6, 1886, exerciseable from time to time	„ s.5.

B.—ASSAM AND BENGAL.

1. Registration of Births and Deaths.

Power of Local Government to direct registration in any area in Bengal	Ben. Act 4, 1873, s.1.
„ of Municipal Commissioners in Districts to keep register	„ s.11.
Ben. Act 4, 1873, declared in force in the Santhál Parganas	Reg. 3, 1872, s 3 (am. Reg. 3, 1886).
Procedure for effecting registration:	
Constitution of Districts	Ben. Act 4, 1873, sec. 2.
Appointment, etc., of registrars	Ben. Act 4, 1873, sec. 2.
Office of registrar, and his attendance thereat	„ ss.2, 3.
Register-books	„ s.4.
Registrar to register; penalty	„ ss.5, 9.
What persons bound to report births and deaths; penalties	„ ss.6 to 8, 10.
Report by chaukidars of births and deaths occurring in village	[1] Ben. Act 6, 1870, s.39(7) (am. Ben. Act 1, 1892, s.13).
Report by rural policemen of births and deaths occurring in their beat	(As.) Reg. 1, 1883, s.18(9).
Delegation of District Magistrate's functions	Ben. Act 4, 1873, sec. 12.

2. Voluntary registration of Muhammadan Marriages and Divorces.

Power to extend Ben. Act 1, 1876, to any district in Bengal	[2] Ben. Act 1, 1876, s.1.
Definitions	„ s.2.
Muhammadan Registrars:	
Licensing of	„ s.3.
Deemed to be "public servants"	„ s.25.
Seal and books of	„ ss.4, 5.
Registers to be kept by	„ ss 6, 7, Sch.
To register marriages and divorces on application; their fees	„ ss.8 to 10
Control over, by Registrar and Inspector General of Registration	„ ss.17 to 19, 22 2
Refusal of, to register, and appeal therefrom	„ ss.20,

[1] Ben. Acts 6, 1870, and 1, 1892, have been extended to the district of Goalpara in Assam by notification ur Scheduled Districts Act, 1874.

[2] Ben. Act 1, 1876, has been extended to the Districts of Cachar and Sylhet in Assam by notification u Scheduled Districts Act, 1874.

REGISTRATION OF BIRTHS, DEATHS, MARRIAGES, DIVORCES, ETC.—*cont.*

B.—ASSAM AND BENGAL—*cont.*

2. Voluntary registration of Muhammadan Marriages and Divorces—*cont.*

Signature of entires in register - - - - - Ben. Act 1, 1876, s. 11.
Copy of entry to be given to parties - - - - - „ s. 12.
Index to contents of register; searches and copies - - - „ ss. 13 to 16.
Powers for making rules - - - - - - „ ss. 18, 19, 24.
Ben. Act 1, 1876, not to affect validity or invalidity of marriages or divorces, etc. - - - - - - „ s. 26.

REGISTRATION OF BOATS.
In Bombay harbour. *See* PUBLIC CONVEYANCE.

REGISTRATION OF BOOKS, ETC. *See* COPYRIGHT, 1 (*b*), 3, 5 (*b*); PRINTING PRESSES.

REGISTRATION OF COMPANIES AND THEIR PROCEEDINGS. *See* COMPANY, 2 (*a*), (*c*), 3.

REGISTRATION OF CRIMINAL TRIBES AND EUNUCHS - - - Act 27, 1871, ss. 7 to 12, 16, 24, 25, 31.

REGISTRATION OF DESIGNS. *See* DESIGNS.

REGISTRATION ACT (INDIAN), 1877 - - - - - Act 3, 1877.
„ „ „ 1886 - - - - - Act 7, 1886.
„ REGULATION (UPPER BURMA), 1887 - - - Reg. 1, 1887.

REGISTRATION OF DOCUMENTS.

1. Preliminary.

Act 3, 1877, extends to whole of British India except areas excluded by order of Local Government; power to cancel such orders - - - - - - Act 3, 1877, s. 1 (am. Act 12, 1891).
„ „ declared in force in—
the Santhál Parganas - - - - Reg. 3 1872, s. 3 (am. Reg. 3, 1886).
British Baluchistan - - - - Reg. 1, 1890, s. 3.
Acts 12 of 1879, ss. 104 to 107, and 7 of 1886 (amending Act 3, 1877), declared in force in the Santhál Parganas - - - Reg. 3, 1872, s. 3 (am. Reg. 3, 1886).
Definitions - - - - - - - - - Act 3, 1877, section 3.

2. Establishments and Offices.

Inspectors General; appointment of - - - - „ s. 4.
Districts and sub-districts; formation of - - - - „ ss. 5, 9 (pt. rep. Act 13, 1889).
Registrars and Sub-registrars:
Appointment of, and establishment of office for - - „ ss. 6, 7.
Who to act in case of absence, etc., of - - - - „ ss. 10 to 13.
Inspectors of registration offices; appointment and duties of - „ s. 8.
Suspension, removal and dismissal of officers - - - „ s. 13.
Remuneration of, and establishments for, officers - - - „ s. 14.
Seals of officers - - - - - - - - „ s. 15.
Registering officers deemed public servants - - - - „ s. 84 (pt. rep. Act 12, 1891).

3. Registrable Documents.

Registration of certain documents compulsory - - - „ s. 17. Act 1, 1880, s. 3.

REGISTRATION OF DOCUMENTS—*cont.*

3. Registrable Documents *—cont.*

Registration of certain documents optional		Act3,1877,ss.17,18,41,90 (s.17am.Act19, 1883,ss.2,12; Act7,1886,ss.2 to4; Act7,1888, s.65: s.90am. Act7,1886,s.6; Act12,1891).
Registration when compulsory in case of certain transfers. *See* GIFT; LEASE; MORTGAGE, 1; SALE, 1.		
Refusal to register unless—		
translation supplied	,,	s.19.
interlineation, *etc.*, attested	,,	s.20.
document contains description of parcels and has annexed a copy of any map or plan referred to in it	,,	ss.21,22.
Effect of registration and effect of non-registration	,,	ss.47to50(am. Act7,1886,s.5; Act7,1888,s.65).

4. Procedure and Administrative Provisions.

Time of presentation for registration	,,	ss.23to27.
Place ,, ,, ,,	,,	ss.28to31.
Who to present for registration	,,	ss.32,33,40,89 (am.Act12,1879, s.107;Act19, 1883,ss.2,12; Act7,1886,s.3; Act12,1891).
Attendance of executants and enquiry by registering officer as to execution	,,	ss.34,35(am.Act 12,1879,s.104).
Enforcement of appearance of executants and witnesses	,,	ss.36to39.
Power of registering officer to administer oath and record substance of statements	,,	s.63.
Register-books and fire-proof boxes to be supplied to registering officers	,,	s.16.
Register-books and indexes:		
To be kept; entries to be made in	,,	ss.51to55,61,62, 64to67,69,71, 76,88,89(s.51 am.Act12,1879, s.105;s.89am. Act12,1879,s. 107,Act19,1883, ss.2,12,Act7, 1886,s.3,Act12, 1891).
Copies of indexes to be sent by Sub-registrar to Registrar	,,	s.56.
Indexes kept under Act 3, 1877, to be sent to Cantonment Magistrate when cantonment is not a separate sub-district or district under that Act		Act13,1889,s.32(2).
Inspection of, and grant of copies of entries in		Act3,1877,s.57.

REGISTRATION OF DOCUMENTS—*cont.*

4. Procedure and Administrative Provisions—*cont.*

Register-books and indexes—*cont.*:

Endorsement on document presented - - - - Act3,1877,ss.52,58(am. Act7,1886,s.3), 59,60,62.

Receipt to be given for document presented for registration - - „ s.52.

Document to be returned on registration - - - - „ s.61.

Reports by registering officers to other registering officers when the former register documents relating to immoveable property situate within jurisdiction of the latter - - - „ ss.64to67.

Control of Sub-registrars by Registrars - - - - „ s.68.

Inspector General—

to exercise superintendence over registration officers - - „ s.69.

may make rules - - - - - - - „ s.69.

may remit certain fines - - - - - - „ s.70.

Refusal to register:

Grounds for (*see also above*, 3) - - - - - „ ss.71,73,76.

Records of reasons for - - - - - - „ ss.71,76.

Appeal against - - - - - - - „ ss.72to77.

Destruction of unclaimed documents - - - - „ s.85.

Special procedure for registration of—

documents executed by certain public functionaries - - „ s.88.

orders granting loans under Land Improvement Act, 1883, or Agriculturists' Loans Act, 1884 - - - - „ s.89(am.Act 12,1879,s.107; Act19,1883,ss.2, 12;Act7,1886, s.3;Act12,1891).

certificates of sale by public officer - - - -

5. Fees.

Power of Local Government to prescribe and alter fees - - „ s.78.

Publication of fees - - - - - - - „ s.79.

Fees for registration to be paid on presentation of document - „ s.80.

6. Miscellaneous.

Certain documents to be deemed to have been duly registered - „ s.90(am.Act7, 1886,s.6;Act 12,1891).

Inspection and copies of such documents - - - - „ s.91(am.Act7, 1886,s.6).

Penalties - - - - - - - - - „ ss.81,82.

Initiation of prosecutions; jurisdiction; recovery of fines - - „ s.83(am.Act12, 1879,s.106;Act 12,1891).

Bar to suits, etc., for acts done in good faith - - - „ s.86.

Defects not to invalidate proceedings - - - - „ s.87.

7. Local Laws.

Angul:

See ANGUL, 7.

Lower Burma:

Validation of former rules relating to registration in - - „ s.92.

Upper Burma:

Definitions - - - - - - - - Reg.1,1887,section2.

REGISTRATION OF DOCUMENTS—*cont.*

7. Local Laws—*cont.*

Upper Burma—*cont.* :

Appointment, etc., of registering officers and establishment of offices — Reg. 1, 1887, section 6.

Power of Local Government to notify documents required to be registered; effect of not registering documents so notified — „ ss. 3 to 5.

Power of Local Government to make rules — „ s. 7(1) to (3).

Application of Act 3, 1877, ss. 81, 82 — „ s. 7(4).

Dekkhan Agriculturists :

See DEKKHAN AGRICULTURIST, 4.

N.-W. Provinces and Oudh :

Validation of registration of certain documents — N. & O. Act 4, 1894.

REGISTRATION OF HACKNEY-CARRIAGES. *See* HACKNEY-CARRIAGE, II, 2; III, 2.

REGISTRATION OF INVENTIONS. *See* INVENTION.

REGISTRATION OF LAND.

1802. Mad. Reg. 26 (Registration, Madras).
1803. Mad. Reg. 2, ss. 23, 24 (Collectors, Madras).
1859. Act 11, ss. 38 to 44, 46 to 51, 60 to 62 (Sale for Arrears of Revenue, Bengal).
1862. Ben. Act 3, ss. 2, 3 (Sale for Arrears of Revenue, Bengal).
1872. Reg. 3, s. 3 (Santhál Parganas).
1874. Act 15, ss. 4, 6 (Laws Local Extent).
1876. Ben. Act 7 (Registration, Bengal).
„ Ben. Act 8, s. 96 (Partition, Bengal).
„ Mad. Act 1, ss. 1, 2, 5, 6 (Permanently-settled Estates, Madras).
1879. Bom. Act 5, s. 53 (Land-revenue, Bombay).
1895. Ben. Act 3, ss. 1 to 27, 33 to 36 (Tenants' Rights, Bengal).
1896. Mad. Act 3 (Malabar and South East Wynaad).

ASSAM — .....

I.—BENGAL
- A.—LANDS GENERALLY.
- B.—TALUQDARI AND OTHER SIMILAR TENURES CREATED SINCE TIME OF SETTLEMENT AND FARMS FOR TERMS OF YEARS, HELD IMMEDIATELY OF PROPRIETORS OF ESTATES, AND CERTAIN LEASES.
- C.—TENANTS' RIGHTS.
- D.—REVENUE-FREE GRANTS.
- E.—BHUINHARI AND MAJHIHAS TENURES IN CHOTA NAGPUR.

II.—BOMBAY PRESIDENCY — .....

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- A.—GENERALLY.
- B.—MALABAR DISTRICT, AND SOUTH-EAST WYNAAD IN NILGIRI DISTRICT.

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See LANDLORD AND TENANT, II, A, 1 (*c*).

I.—BENGAL.

A.—LANDS GENERALLY.

Ben. Acts 7, 1876, and 5, 1878, declared in force in the Santhál Parganas — *Reg. 3, 1872, s. 3* (am. Reg. 3, 1886).

Definitions — Ben. Act 7, 1876, section 3.

REGISTRATION OF LAND—*cont.*

I.—BENGAL—*cont.*

A.—LANDS GENERALLY—*cont.*

Collector to keep—		
general register of revenue-paying lands	Ben. Act 7, 1876, section 4.	
„ „ „ revenue-free lands		
mauzawar register of revenue-paying and revenue-free lands, and intermediate register of changes affecting entries in above-mentioned registers		
Form, language, arrangement and contents of such register	„	ss. 5 to 12, 14 to 19.
Power of Board of Revenue to make rules as to preparation of register of revenue-free lands, in supersession of ss. 10 to 12 of Act	„	s. 13.
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Provisions as to introduction of new registers	„	ss. 21, 22.
Registers how to be prepared and maintained; enquiries into changes necessitating alteration in register	„	ss. 22 to 39.
Information to be supplied to Collector for amendment of registers; penalties	„	ss. 30, 31.
Power of Civil Court to order registration of transfers	„	s. 32.
Of what estate land held rent-free is to be deemed part, for purposes of registration	„	s. 33.
Power of Collector to include lands in estate for purposes of registration	„	s. 34.
„ „ to enter land as a separate revenue-free property	„	s. 35.
Power of Board—		
to decide what revenue-free lands shall be included in each revenue-free property to be registered	„	s. 36.
to direct removal of lands from revenue-free register		
Power of Collector to include lands in revenue-free property for purposes of registration	„	37.
Registration of names and character and extent of interest, on application:		
Proprietors and managers to apply for registration within prescribed time; power to exempt proprietors and managers of small estates	„	ss. 38 to 43, 46.
Mortgagee may apply	„	s. 44.
Application may be presented by agent	„	s. 45.
Objections to registration to be invited and considered; power to take evidence; costs of enquiry	„	ss. 48 to 54.
Disputed possession, succession or transfer:		
Power of Collector to—		
summarily determine right to possession and deliver possession accordingly, or	„	s. 55 (am. Ben. Act 5, 1878, s. 1)
refer case to Civil Court, and		
appoint receiver	„	s. 56.
Effect of Collector's order determining right to possession and delivering possession	„	s. 57.
Matters to be stated in making reference to Civil Court	„	s. 58.
Procedure of Civil Court on such reference	„	ss. 59 to 63.

REGISTRATION OF LAND—*cont.*

I.—BENGAL—*cont.*

A.—LANDS GENERALLY—*cont.*

Registration of names and character and extent of interest, on application—*cont.*:
Registration to be made—
on proof of applicant having been appointed manager by Collector or Court - - - - - - Ben. Act 7, 1876, section 47.
if applicant found to be in possession and if alleged succession or transfer has taken place - - - - „ s.52.
on applicant being placed in possession by Collector - „ s.55 (am. Ben. Act 5, 1878, s.1).
if applicant's possession undisputed or proved to satisfaction of Collector - - - - - - „ s.55, prov.
on receipt of Civil Court's order determining right to possession - - - - - - - - „ s.63.
Fees to be levied on registration of transfers - - - „ s.64.
Penalties for not applying for registration - - - „ ss.65 to 67.
Recorded proprietors and managers declared to be jointly and severally liable and persons required to apply for registration declared to be liable, for discharge of obligations imposed by law on proprietors - - - - - - „ s.68.
Application of Part IV (ss. 38 to 68) to persons required by Collector to apply for registration of revenue-free property - „ s.35.
Collector to furnish extracts from registers and translations of extracts, on payment of fees - - - - - „ ss.75, 76.
Changes in registers to be notified - - - - - „ s.77.
Payments of rent, and of sums payable by Collector to proprietors, to be regulated by registers - - - - - „ ss.78 to 81.
Moneys due to Collector under Act realisable as arrears of land-revenue - - - - - - - - „ s.82 (pt. rep. Ben. Act 7, 1880).
Power of Collector to require proprietor or manager to name estate - „ s.83.
Delegation of Collector's functions - - - - - „ s.84.
Appeals to, and revision by, superior Revenue-authorities; limitation of appeal - - - - - - - - „ ss.85 to 87.
Power of Board to make rules - - - - - „ s.88.
Saving of right to bring suit for possession, etc., of property - „ s.89(*a*).
Proceedings under Act not conclusive as to validity of title to hold land revenue-free - - - - - - - „ s.89(*b*).
Act not to affect rights to immoveable property, except as specially provided - - - - - - - - - „ s.89(*c*).

B.—TALUQDARI AND OTHER SIMILAR TENURES CREATED SINCE TIME OF SETTLEMENT, AND FARMS FOR TERMS OF YEARS, HELD IMMEDIATELY OF PROPRIETORS OF ESTATES, AND CERTAIN LEASES.

Act 11, 1859, declared in force—
throughout Bengal, except as regards the Scheduled Districts - Act 15, 1874, s.6.
in the Santhál Parganas - - - - - - Reg. 3, 1872, s.3 (am. Reg. 3, 1886).
Ben. Act 3, 1862, declared in force in the Santhál Parganas -

REGISTRATION OF LAND—*cont.*

I.—BENGAL—*cont.*

B.—TALUQDARI AND OTHER SIMILAR TENURES CREATED SINCE TIME OF SETTLEMENT, AND FARMS FOR TERMS OF YEARS, HELD IMMEDIATELY OF PROPRIETORS OF ESTATES, AND CERTAIN LEASES—*cont.*

Common registry and special registry:
- Local extent of Act 11, 1859 — Act 11, 1859, section 62.
- "Collector" in Act 11, 1859, includes Deputy Collector — „ s.61.
- Tenures, farms and leases which may be registered — „ ss.38,43,44.
- Application for registry: contents of — „ s.40.
- „ „ „ time within which application must be made — Ben. Act 3, 1862, s.2.
- „ „ „ fees payable on application — „ s.3, Sch.
- Control over, and appeal from orders of, Revenue-authorities — Act 11, 1859, s.49.

Common registry:
- Objections to be invited; registration when to be effected — „ s.41.
- Effect of, in case of sale for arrears of revenue — „ s.39.

Special registry:
- Objections to be invited; registration when to be effected — „ ss.42,44.
- Registry of creation of tenure by partition — Ben. Act 8, 1876, s.96.
- Expenses of measurement, survey or local enquiry to be paid by applicant — Act 11, 1859, s.46.
- Ben. Regs. 7, 1822, and 9, 1825, applied to estates in which measurement, survey or enquiry made under Act 11, 1859 — „ s.60.
- Civil Court may not order — „ s.47.
- Suit for cancelment of — „ s.48.
- Revision of proceedings of Commissioner — „ s.49.
- Effect of, in case of sale for arrears of revenue — „ ss.39,50,51.

C.—TENANTS' RIGHTS.

- Local extent of Act — Ben. Act 3, 1895, sec.1.
- Definitions — „ s.2.
- Sub-registrars appointed under Indian Registration Act, 1877, to be Registrars of Mutations — „ s.3.
- Registers to be kept by Registrar of Mutations — „ s.4.
- Landlords to file with Registrar statements of changes occurring in tenants' rights by transfer or succession — „ s.5.
- Notice of transfers and successions to be given to Registrar by certain classes of tenants — „ ss.6,7,21.
- Registrar, on admission of transfer, to register it; his power to examine parties — „ s.8.
- Registrar registering, or receiving notice of, transfer of tenant-right under Indian Registration Act, 1877, to register the transfer under Ben. Act 3, 1895, as if notice had been received under s. 6 thereof — „ s.22.
- Registrar, if succession is not denied, to register it — „ s.9.
- Appearance of agents before Registrar; powers-of-attorney — „ ss.10,11.
- Application of Code of Civil Procedure to summonses and commissions issued under Act — „ ss.10,12.
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REGISTRATION OF LAND—*cont.*

I.—BENGAL—*cont.*

C.—TENANTS' RIGHTS—*cont.*

Procedure of Registrar when transferor or deceased person through whom succession is claimed is not entered in record-of-rights as being in possession	Ben. Act 3, 1895,	s.15.
Registrar to record reasons when he does not register transfer or succession on notice	„	s.13.
Appeal against refusal to register transfer or succession	„	s.16.
„ in other cases	„	s.34.
„ power to invest officers with appellate powers	„	s.35.
Registrar to give receipt for notice and copy of entries in register; register to be open to inspection	„	ss.17,18.
Fixing and publication of fees payable under Act	„	s.19(*1*).
Fees for registration when payable	„	s.19(*2*).
Disabilities resulting from failure to give notice under s. 6	„	s.23.
Penalties for omission to give notice under s. 6 or s. 5	„	ss.24,25.
„ „ omitting to make entry, or making incorrect entry, in register, or for false statement or personation	„	ss.26,27.
Registrar of Mutations deemed "public servant" and his records public records	„	s.33.
Power to make rules	„	s.36.
Registration under Bengal Tenancy Act (8, 1885) of transfers of interest of certain tenants. *See* LANDLORD AND TENANT, III, A, 2 (1), (2).		
Payment to Registrar of landlord's fee payable under Bengal Tenancy Act, 1885, ss.15, 18	„	s.20.

D.—REVENUE-FREE GRANTS.

See LAND-REVENUE, IV, 3 (*c*).

E.—BHUINHARI AND MAJHAHAS TENURES IN CHOTA NAGPUR.

See LANDLORD AND TENANT, III, B.

II.—BOMBAY PRESIDENCY.

Registration of revenue-free lands; grant of extract from register when sanad lost	Bom. Act 5, 1879,	s.53.

III.—MADRAS PRESIDENCY.

A.—GENERALLY.

Mad. Reg. 26, 1802, ss. 2, 3, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts	Act 15, 1874,	s.4.
Collectors to register revenue-paying lands and transfers of land; unregistered transfers invalid	Mad. Reg. 26, 1802,	ss.2,3.
Collectors to keep registers of—		
partitions of estates and transfers of land	Mad. Reg. 2, 1803,	s.23.
alienated lands paying revenue to Government or exempt from payment of public revenue	„	s.24.
Registration of alienated portion of permanently-settled estate	Mad. Act 1, 1876,	ss.1,2,5,6.

REGISTRATION OF LAND—*cont.*

III.—MADRAS PRESIDENCY—*cont.*

B.—MALABAR DISTRICT, AND SOUTH-EAST WYNAAD IN NILGIRI DISTRICT.

Act applies to estates subject to separate assessment of land-revenue payable direct to Government	Mad. Act 3, 1896,	sec. 2.
Proprietor of estate may apply, within time fixed by Collector, for registration as proprietor or joint proprietor of estate	„	ss. 3 to 5.
Collector to ascertain and register proprietors of estates, and may survey and demarcate estates; procedure in enquiries	„	ss. 6, 8.
In whose name estate belonging to joint proprietors being members of joint family, or estate belonging to religious or charitable foundation, is to be registered	„	s. 7.
Notice of registration; disposal of objections to registration	„	s. 9.
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Copies of records made under Mad. Reg. 26, 1802, or Mad. Act 3, 1896, to be furnished to applicants on payment of fees	„	s. 11.
Saving of Mad. Reg. 26, 1802	„	s. 12.
Person registered as proprietor to be deemed landholder for purposes of Mad. Act 2, 1864 (Recovery of revenue)	„	s. 13.
Joint registration of proprietor and occupant, when permissible	„	s. 14.
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Act not to affect rights or titles	„	s 19(*b*),(*c*).
Power of Board of Revenue to make rules	„	s. 20.
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REGISTRATION OF PALANQUINS, BENGAL. *See* PALANQUINS, 1, 2.

REGISTRATION OF SHIPS.
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On Madras canals. *See* CANAL, VI.

REGISTRATION OF SOCIETIES. *See* SOCIETY, 1.

REGULATION OF THE FORCES ACT, 1881. (*See* ARMY) — 44-5 V. c. 57.

REGULATION.
Defined. *See* WORDS AND PHRASES.
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RELATIONSHIP; definition of words expressing. *See* WORDS AND PHRASES.

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RELIGION.
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RELIGIOUS HOUSE.
Actions of covenant by and against assignees of leases and reversions — 22 H. 8, c. 34.[1]

[1] This Act is indexed because it is published in the Collection of Statutes relating to India.

RELIGIOUS SOCIETIES ACT, 1880. (*See* SOCIETY, 2)		Act 1, 1880.
RENT ACT (NORTH-WESTERN PROVINCES), 1881.	(*See* LANDLORD AND TENANT)	Act 12, 1881.
„ „ „ „ 1886.		Act 14, 1886.
„ „ (OUDH), 1886.		Act 22, 1886.
„ RECOVERY ACT, 1853. [1]		Act 6, 1853.
„ REGULATION (SANTHÁL PARGANAS), 1886.		Reg. 2, 1886.

RENT; definitions of. *See* WORDS AND PHRASES.

RENTCHARGE.

Where land limited to one to use that another may receive rent, person entitled to rent deemed seised thereof; power of distress and entry, etc.	27 H. 8, c. 10, s. 3 (rep. locally Act 4, 1882). [2]
Grant of, good, without attornment of tenant of land; saving for payment of rent to grantor before notice	4-5 A. c. 3, ss. 9, 10. [2]
On part of land charged, not an extinguishment	Act 28, 1866, s. 23.

REPEALING ACT (BHUTAN DVARS), 1895	Ben. Act 7, 1895.
„ AND AMENDING ACT, 1891	Act 12, 1891.
„ „ „ „ 1894	Act 4, 1894.
„ „ „ „ 1895	Act 16, 1895.
„ „ „ „ 1897	Act 5, 1897.
„ „ „ (ARMY) ACT, 1894	Act 13, 1894.
„ REGULATION (COORG), 1893	Reg. 1, 1893.
„ AND AMENDING REGULATION (AJMERE), 1893	Reg. 9, 1893.

REPEAL.

Effect of. *See* ACTS OF PARLIAMENT, 1; ACTS AND REGULATIONS OF INDIAN LEGISLATURES, 1.

REPORTS. *See* LAW REPORTS.

RESERVE FORCES ACT (INDIAN), 1888. (*See* INDIAN RESERVE FORCES) Act 4, 1888.

RESERVED FOREST. *See* FOREST, 1.

RESTITUTION OF CONJUGAL RIGHTS. *See* MATRIMONIAL CAUSES, A, 3; B, 2; C, 3.

REVENUE.

Definitions of. *See* WORDS AND PHRASES.
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REVENUE AGENT. *See* LEGAL PRACTITIONER, 1, 2.

REVENUE-AUTHORITIES.

In Ajmere.	*See* LAND-REVENUE, II, 6.
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[1] This short title was given by Act 5, 1897, s. 4.
[2] These sections are indexed because they are published in the Collection of *Statutes relating to India*.

REVENUE COURTS.
In Bombay City. *See* LAND-REVENUE, VIII, 5.
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REVENUE-FREE LANDS.
In Assam. *See* LAND-REVENUE, III, A, 3 (*e*)
„ Bengal. „ „ IV, 3 (*c*).
„ Calcutta. „ „ V.
„ Bombay Presidency. „ „ VII, A, 3 (*b*).
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REVENUE JURISDICTION ACT (BOMBAY), 1876. } (*See* LAND-REVENUE, VI) { Act 10, 1876.
„ „ „ „ 1880. } { Act 15, 1880.

REVENUE-OFFICERS.
Defined. *See* WORDS AND PHRASES.
See cross-references from REVENUE-AUTHORITIES.

REVENUE RECOVERY ACT, 1890. (*See* LAND-REVENUE, I) - - Act 1, 1890.

REVENUE REGULATION (COORG), 1889. (*See* LAND-REVENUE, XII) - Reg. 1, 1889.

REVERSION.
Grant of, good, without attornment of tenant; saving for payment of rent before notice of grant - - - - - } 4-5 A. c. 3, ss. 9, 10. } [1]
Actions of covenant by and against assignees of - - - 32 H. 8, c. 34. }

RIOTING. *See* CRIMINAL LAW (INDIAN), 6.

RIVERS CONSERVANCY ACT (MADRAS), 1884 - - - Mad. Act 6, 1884.

RIVER.
Power to declare that Mad. Act 6, 1884, should be applied to river - Mad. Act 6, 1884, sec. 2.
„ direct survey of river, for determining limits to which Act is to be applied; powers and duties of surveyors - } „ ss. 3 to 5.
„ apply Act to river, after considering objections advanced; placing of boundary-stones, etc. - - - - } „ s. 7.
S. 22 of Act applies to all rivers, whether Act specially applied to them or not - - - - - - - - } „ s. 22.
Power to appoint and remove Conservators of Rivers and define local limits of their authority - - - - - - } „ s. 6.
Survey register and charts to be kept by Conservator; copies thereof to be furnished to Collectors and to be open to inspection - } „ ss. 8, 9.
River-bed; defined - - - - - - - - „ s. 7.
„ power to alter limits of - - - - - „ s. 10.
„ restrictions on cultivation of, or building on; penalties; compensation to be paid - - - - - - { „ ss. 11 to 16 (am. Mad. Act 2, 1885).
Powers of Conservator and his subordinates for preventing erosion, etc.; compensation to be paid - - - - - } „ ss. 17, 18.
Penalty for obstructing Conservator - - - - - „ s. 19.

[1] These Acts are indexed because they are published in the Collection of Statutes relating to India.

RIVER—*cont.*

Conservator to have powers under Act 1, 1858 (Compulsory labour for irrigation works) - - - - - - - - Mad.Act6,1884,sec.20.

Power of Conservator to act in default of person failing to comply with requisition under Act; recovery of expenses - „ s.21.

„ Local Government to make rules for prevention of injury to works constructed on river or to conservancy of river - „ s.21.

Conservators, surveyors and certain subordinates deemed "public servants" - - - - - - - - - - „ s.23.

Recovery of fines imposed under Act - - - - - - „ s.24.

Suits against Conservator, etc.: notice of; limitation of; tender of amends - - - - - - - - - - „ s.25.

Mad. Act 6, 1884, not to affect Easements Act, 1882 - - - - „ s.26.

Kuladan; control over carriage of spirit, drugs, arms and ammunition on - - - - - - - - - - (Ara.)Reg.9,1874,ss.15 (am.Reg.8,1893), 16,17.

Crossing of, on inflated skin. *See* PUNJAB, 5.

See also DRAINAGE; GANGES; INDUS; KARATOYA RIVER.

ROAD.

Definitions of. *See* WORDS AND PHRASES.

To be under authority of Local Self-government Boards:

Ajmere. *See* LOCAL SELF-GOVERNMENT, II, 3.
Bengal. „ „ „ III, 3.
Bombay. „ „ „ IV, 3.
C. Provinces „ „ „ V, 3.
Madras. „ „ „ VI, 3.
N.-W. P. & Oudh. „ „ „ VII, 3.
Punjab. „ „ „ VIII, 3.

Tax in Bombay Presidency for construction and maintenance of. *See* TAXES.

Tolls on. *See* TOLLS.

See also STREET.

ROAD CESS. *See* LOCAL RATES AND CESSES, B.

ROBBERY. *See* CRIMINAL LAW (INDIAN), 15.

ROYAL FAMILY.

Naturalization of Princess Sophia of Hanover, etc. - - - 4-5A.c.16.[1]

ROYAL INDIAN MARINE. (*See also* INDIAN MILITARY AND NAVAL FORCES, I).

1. Preliminary.

Power for Governor General in Council to make laws for persons belonging to Indian Marine Service; restrictions as to Indian waters, and punishment of death - - - - - - 47-8V.c.38,ss.1to5.

Definitions - - - - - - - - - - Act14,1887,s.2(am.Act7, 1888),s.72(2).

Oath, etc., on enrolment - - - - - - - „ s.3.

2. Offences and Punishments.

Misconduct in presence of enemy - - - - - - „ ss.5to8.
Communications with enemy - - - - - - „ ss.9,10.
Neglect of duty - - - - - - - - „ s.11.

[1] This Act is indexed because it is published in the Collection of Statutes relating to India.

ROYAL INDIAN MARINE—*cont.*

2. Offences and Punishments—*cont.*

Mutiny	Act 14, 1887,	ss. 12 to 17.
Insubordination	„	s. 18.
Desertion, and absence without leave	„	ss. 19 to 22.
Drunkenness, cruelty and misconduct	„	ss. 23, 24.
Suffering vessel to be lost or imperilled	„	s. 25.
Unlawful taking of goods on board	„	s. 26.
Embezzling public stores	„	s. 27.
Arson	„	s. 28.
Making false document	„	s. 29.
Malingering or misconduct in hospital	„	s. 30.
Creating disturbance on account of complaint	„	s. 31.
Other offences to the prejudice of good order and discipline	„	s. 32.
Not assisting in arrest of offender	„	s. 33.
Contempt of Court	„	ss. 34, 36.
Giving false evidence	„	s. 35.
Offences punishable by ordinary law	„	s. 36.
Punishments which may be inflicted; regulations as to punishments	„	ss. 37 to 39.
Saving of minor punishments	„	s. 77.
Application of Act 45, 1860 (Indian Penal Code), Ch. VII (Offences relating to the Army and Navy), to Royal Indian Marine	„	s. 79.
Limitation of time for trials	„	s. 40.

3. Jurisdiction, Powers, Courts and Procedure.

Offences cognizable by Criminal Courts, Indian Marine Courts and Commanding Officer, respectively; sentences which may be passed by them	„	ss. 41 to 43, 48.
Place of trial	„	s. 44.
Jurisdiction over person ceasing to be subject to Act	„	s. 45.
Arrest, etc., of accused	„	ss. 46, 47, 72, 73, 78.
Previous conviction or acquittal	„	s. 49.
Indian Marine Court:		
Power to convene	„	s. 52.
Composition of	„	s. 53.
Procedure at trial by	„	ss. 54 to 63.
„ „ „ „ power to make rules as to	„	s. 70.
Confirmation of finding and sentence of	„	ss. 64 to 67.
Application of Act 1, 1872 (Evidence)	„	s. 68.
„ „ Act 15, 1869 (Prisoners' Testimony)	„	s. 50.
„ „ Act 10, 1882 (Criminal Procedure)	„	ss. 58, 70.
Preservation of proceedings and grant of copies	„	s. 69.
Application of Act 10, 1882 (Criminal Procedure), to—		
proceedings before Indian Marine Court	„	ss. 58, 70.
„ in Criminal Courts beyond British India	„	s. 71.
Sentences: power of Governor General in Council to suspend, etc.	„	s. 51.
Sentences of Indian Marine Court or Commanding Officer—		
commencement of sentence of imprisonment	„	s. 74.
execution of	„	s. 75.
Saving of jurisdiction and powers of ordinary Criminal Courts	„	s. 76.
„ of minor punishments	„	s. 77.

ROYAL INDIAN MARINE—*cont.*

4. Miscellaneous.

Powers for making rules - - - - - - - Act14,1887,ss.4,70.
Exemption from appearance in Court and arrest for debt - - „ s.80.
Bar to attachment of pay or property - - - - „ s.81.
Disposal of property of deceased persons and deserters - - „ s.82.
Placing vessels and men of Indian Marine Service under Naval Discipline Act in time of war - - - - - 47-8V.c.38,s.6.

ROYAL (LATE INDIAN) ORDNANCE CORPS ACT, 1874. (*See* INDIAN MILITARY AND NAVAL FORCES, I) - - - - - 37-8V.c.61.

ROYAL TITLES Act, 1876.[1] (*See* CROWN) - - - - - 39-40V.c.10.

RUBBISH AND OFFENSIVE MATTER.
Removal of, in municipalities:

Aj., L. B., C. P.	*See* MUNICIPALITY,		II, 6 (*e*), (*g*).
As.	„	„	IV, 6 (*e*); V, 6 (*e*).
Ben. Districts.	„	„	V, 6 (*e*).
Cal.	„	„	VI, 6 (*f*), (*k*).
Bom. Districts.	„	„	VII, 6 (*e*), (*g*).
„ City.	„	„	VIII, 6 (*e*).
Mad. Districts.	„	„	XII, 6 (*e*), (*g*).
„ City.	„	„	XIII, 6 (*e*).
Punjab.	„	„	XIV, 6 (*e*), (*g*).

RUBY REGULATION (UPPER BURMA), 1887. (*See* PRECIOUS STONES) Reg.12,1887.

RULES.
Construction of. *See* ACTS OF PARLIAMENT, 1; ACTS AND REGULATIONS OF INDIAN LEGISLATURES, 1.
Publication of. *See* ACTS AND REGULATIONS, ETC., 1.

RURAL BOARDS REGULATION (AJMERE), 1886. (*See* LOCAL SELF-GOVERNMENT) - - - - - - - - Reg.6,1886.

RURAL POLICE ACT (CHOTA NAGPUR), 1887. Ben.Act5,1887.
„ „ REGULATION (SYLHET AND CACHAR), 1883. (*See* POLICE, III) Reg.1,1883.

ST. HELENA.
Transfer of, from East India Company to Crown - - - 3-4W.4,c.85,s.112.

SALARIES AND ALLOWANCES ACT (INDIAN), 1880. (*See* BISHOPS; GOVERNMENT OF INDIA; INDIAN MILITARY AND NAVAL FORCES) - 43V.c.3.

SALARIES AND PENSIONS ACT (INDIAN), 1825.[1] (*See* BISHOPS; HIGH COURT) - - - - - - - - 6G.4,c.85.

SALE OF OFFICES ACT, 1809.[1] (*See* ARMY; CRIMINAL LAW; NAVY) 49G.3,c.126.

SALE OF PATNI TENURES ACT, 1850.[2] (*See* LANDLORD AND TENANT, II, III) - - - - - - - - - Act33,1850.

SALE.
Definitions of. *See* WORDS AND PHRASES.

1. Of Immoveable Property.

Definition of "sale" and "delivery" - - - - -
Registered instrument when required; delivery when sufficient - Act4,1882,section54.
Provisions of s. 54 as to registration:
Power to exempt territory from operation of - - -
Not to apply to territory excluded from operation of Registration Act, 1877 - - - - - - „ s.1(am Act3, 1885,ss.1,2).

[1] This short title was given by 59 & 60 Vict. c. 14.
[2] This short title was given by Act 5, 1897, s. 4.

SALE—*cont.*

1. Of Immoveable Property—*cont.*

Provisions of s. 54 as to registration—*cont.*:
Extended to all cantonments - - - - - Act13,1889,s.3 2.
Definition of "contract for sale"; effect of such contract - - Act4,1882,s.54.
Rights and liabilities of buyer and seller - - - - „ s.55.
Right of buyer on sale of one of two properties subject to a common charge - - - - - - - - „ s.56.
Powers of Court as to discharge of incumbrances on sale - - „ s.57.
See also TRANSFER OF PROPERTY, A.

2. Of Goods.

See CONTRACT, 5 (*a*).

3. Of Ships.

See MERCHANT SHIPPING, 1 (*c*).

SALT ACT (INDIAN), 1882 - - - - - - Act12,1882.
„ „ (BOMBAY), 1890 - - - - - - Bom.Act2,1890.
„ „ (MADRAS), 1889 - - - - - - Mad.Act4,1889.

SALT.

1803. Mad. Reg. 2, ss. 2, 32 (Collectors, Madras).
1864. Ben. Act 7 (Salt, Bengal).
1872. Reg. 3, s. 3 (Laws, Santhál Parganas).
1873. Ben. Act 1 (Jurisdiction, Bengal).
1876. Act 2, ss. 39, 43 to 53, 58 (Land and Revenue, Lower Burma).
1878. Act 8, ss. 20, 50 (Sea Customs).
1879. Act 16 (Transport of Salt, Bombay and Madras Coasts).
1882. Act 12 (Salt).
1889. Mad. Act 4 (Salt, Madras Presidency).
„ Reg. 3, ss. 33, 37 to 46, 53 (Land and Revenue, Upper Burma).
1890. Bom. Act 2 (Salt, Bombay Presidency).
1894. Act 8, ss. 2, 3, 5, 7 (Tariff).

I.—GENERALLY - - - .....
II.—AJMERE, PARTS OF BENGAL, BRITISH BALUCHISTAN, BRITISH TERRITORY IN CENTRAL INDIA, CENTRAL PROVINCES, N.-W. PROVINCES, OUDH AND PUNJAB. — 1. Officers. 2. Duties, Licenses and Fees. 3. Management. 4. Offences, Penalties and Legal Proceedings.
III.—BENGAL (PARTS TO WHICH ACT 12, 1882, DOES NOT APPLY) - - — 1 Duties, Licenses and Fees. 2. Management. 3. Offences, Penalties and Legal Proceedings. 4. Miscellaneous.
IV.—BOMBAY PRESIDENCY - - - — 1. Officers. 2. Duties, Charges, Licenses and Permits. 3. Management. 4. Offences, Penalties and Legal Proceedings.
V.—MADRAS PRESIDENCY - - - — 1. Officers. 2. Duties, Charges, Licenses, Permits and Fees. 3. Management. 4. Offences, Penalties and Legal Proceedings.
VI.—BOMBAY COAST AND MADRAS WESTERN COAST - - - - - .....
VII.—BURMA - - - - - .....

I.—GENERALLY.

Definition of "salt," "salt-earth," etc. *See* WORDS AND PHRASES.
Power to impose, reduce and remit duty on salt manufactured in, or imported by land into, British India - - - - Act12,1882,s.7.
Duty on imports by sea, or imports by land from foreign territory, to be levied at rate so imposed - - - - - Act8,1894,ss.3,5,Sch.3 (amAct3,1896).

SALT—*cont.*

I.—GENERALLY—*cont.*

Duty leviable on salt imported coastwise	Act8,1878,s.20(*b*). Act8,1894,ss.2(*4*),7.
Drawback not allowed in re-exportation of salt	Act8,1878,s.50(*d*).
Power to fix minimum price at which salt excavated, manufactured or sold by or on behalf of Government shall be sold	Act12,1882,ss.7,8.

II.—AJMERE, PARTS OF BENGAL, BRITISH BALUCHISTAN, [1] BRITISH TERRITORY IN CENTRAL INDIA, CENTRAL PROVINCES, N.-W. PROVINCES, OUDH AND PUNJAB.

1. Officers.

Commissioner of Northern India Salt-revenue; appointment, suspension and removal of	Act 12, 1882, section 5.
Commissioner of Division; powers and duties of, by whom to be exercised where no Commissioner	„ s.4.
Power to invest persons with powers of Assistant Commissioner or Salt-revenue officer	„ s.20.

2. Duties, Licenses and Fees.

Duty on salt. *See above*, I.	
„ „ collection of	„ s.6(*c*).
Licenses for manufacture or refining of salt or saltpetre; power to fix fees	„ ss.6(*b*),28(*c*).
Fees for license and other documents	„ s.28(*c*).

3. Management.

Power to prohibit or regulate manufacture of salt or manufacture or refining of saltpetre	„ s.6(*a*).
„ regulate possession, storage and sale of salt	„ s.6(*d*),(*e*).
Indus preventive line— power to define and extend zones and establish chains of posts; acquisition of land under Land Acquisition Act; power to regulate possession of Kohat salt within zone; powers for preventing smuggling of Kohat salt	„ ss.8A,8B(ins. Act19,1890, s.2).
Power to prohibit or regulate importation or transit of salt	„ s.27(am.Act19, 1890,s.4).
„ make rules for execution of Act and for regulation of appeals	„ s.28.
Publication of rules	„ s.29.
Police-officers and Land-revenue officers to assist Salt-revenue officers	„ s.25.

4. Offences, Penalties and Legal Proceedings.

Penalty for contravention of Act or rules or evasion of duty or charge; attempts; abetments	„ s.9.
„ on second or subsequent conviction	„ s.10.
Offences to be tried only on official complaint; limitation; jurisdiction	„ s.11.
Confiscation of salt, saltpetre, works, materials, implements, vessels, packages, coverings, animals and conveyances	„ ss.9,12.

[1] Act 12, 1882, was declared in force in British Baluchistan by Reg. 1, 1890, s. 3.

SALT—*cont.*

II.—AJMERE, PARTS OF BENGAL, BRITISH BALUCHISTAN, BRITISH TERRITORY IN CENTRAL INDIA, CENTRAL PROVINCES, N.-W. PROVINCES, OUDH AND PUNJAB—*cont.*

4. Offences, Penalties and Legal Proceedings—*cont.*

Power to levy additional duty as penalty, instead of complaining to Magistrate; detention of article subject to such duty, and procedure thereupon	Act 12, 1882,	ss. 13, 22.
Landholders and agents punishable for connivance at offence	„	s.14.
Powers of entry, stoppage, search, seizure and arrest	„	ss.15to18.
Punishment of police-officer neglecting to attend at search	„	s.19.
Reports of arrests, seizures and entries; disposal of persons arrested	„	ss.20,21, 23.
Penalty for vexatious search, detention, arrest, seizure, etc., or for giving false information to cause search	„	s.25(am.Act 19,1890,s.3).
Power to regulate seizure, disposal and destruction of things liable to seizure	„	s.26.

III.—BENGAL (PARTS TO WHICH ACT 12, 1882, DOES NOT APPLY).

1. Duties, Licenses and Fees.

Duty, on salt. *See above*, I.		
„ „ collection of	Ben.Act7,1864,	ss.11,14.
License; grant of	„	s.7.
„ manufacture prohibited except under license; penalty; confiscation of materials and implements	„	ss.4to6.
Fees for rawanas for possession or transport	„	s.13.

2. Management.

Warehouses to be provided and salt deposited therein	„	s.10.
Regulation of manufacture and deposit; penalties	„	s.11.
„ of possession, transport and sale; seizure; confiscation; penalties	„	ss.11to22.
Possession by servant or agent	„	s.3.

3. Offences, Penalties and Legal Proceedings.

Proprietors, tenants and cultivators and their agents, and servants of Government or Court of Wards, to give notice of unlicensed salt work; penalty for failure	„	s.8.
Power of police-officers to enter, inspect, arrest and weigh; disposal of persons arrested; bail	„	ss.23to26,28 (am.Ben.Act1, 1873,s.3).
Search-warrant	„	s.27(am. Ben.Act1, 1873,s.3).
Adjudication of confiscations; appeals	„	ss.29to32.
Penalty for vexatious seizure or arrest	„	s.33.
Penalties. *See also above*, 2.		
Abetment	„	s.3.
Punishment on second or subsequent conviction; enforcement of penalties; imprisonment in default of fine	„	ss.34,35(am. Ben.Act1,1873, s.3),36.
Bar of writ of certiorari; judgment may be quashed for error of law only	„	s.38.

SALT—*cont.*

III.—BENGAL (PARTS TO WHICH ACT 12, 1882, DOES NOT APPLY)—*cont.*

3. Offences, Penalties and Legal Proceedings—*cont.*

Board of Revenue may direct restoration of thing seized, remission of penalty and discharge of offender — Ben. Act 7,1864,s.39.
Disposal of fines; rewards to police and informers; compensation — „ s.40.
Limitation of prosecutions — „ s.37.
„ and notice of civil proceedings — „ s.41.
Magistrates who may exercise powers and jurisdiction — Ben.Act1,1873,ss.1,2.

4. Miscellaneous.

Ben. Act 7, 1864, declared in force in the Sánthal Parganas — Reg.3,1872,s.3(am.Reg.3, 1886).

IV.—BOMBAY PRESIDENCY.

1. Officers.

Appointment, designations and departmental punishment of, and withdrawal of their powers — Bom.Act2,1890,ss.4,6,7.
Collector charged with collection of salt-revenue, under control of Commissioner — „ s.5(*1*).
Office of Commissioner of Salt-revenue may be kept in abeyance; increased powers of Collector thereupon — „ s.5(*2*).
Application of Bombay Land-revenue Code, 1879, Chapter III — „ s.8.
Investment of officers of any Department with certain powers under Salt Act — „ s.10.

2. Duties, Charges, Licenses and Permits.

Duty on salt. *See above*, I.
„ „ collection of — „ ss.29to31(*1*).
Charges payable on removal of salt — „ ss.29to31(*1*).
License required for manufacture, excavation, collection or removal; grant of license; contents and form of license; alteration of license; register of licenses — „ ss.11(am. Bom.Act2, 1892),12,13.
„ power to permit excavation, collection or removal of salt-earth without license, and to regulate such excavation, etc. — „ s.14.
„ to be granted to recognised proprietor of private salt work — „ ss.16,17.
„ suspension or withdrawal of — „ s.24.
„ required for storing or possessing salt for purposes of sale; grant of — „ ss.36,37.
Permit required for removal of salt from salt-work or from Government warehouse or store, except on Government account; permit when to be granted; form and contents of permit — „ ss.28,29, 31(*2*).
„ restriction as to tonnage of ship carrying salt is not applicable to salt covered by — Act16,1879,s.3(am.Act 12,1891).
„ may be granted to possess salt for private consumption or for transport — Bom.Act2,1890,section38.

3. Management.

Village-officers to report unlicensed manufacture, excavation, collection or removal of salt or salt-earth, and new formations of natural salt — „ s.15.
Private salt-works; control over — „

SALT—*cont.*

IV.—BOMBAY PRESIDENCY—*cont.*

3. Management—*cont.*

Private salt-works; suppression of, on commission of offence; imposition and recovery of fine; acquisition of, under Land Acquisition Act — Bom.Act2,1890,ss.24,25.
„ „ destruction of, and removal of salt from, suppressed or unlicensed salt-work — „ ss.26,27.
Removal of salt from salt-work or from Government warehouse or store; duties of permit-holder and of person superintending removal — „ ss.28to35.
Storing or possessing salt for purposes of sale — „ ss.36,37.
Transport and possession of salt — „ s.38.
Rules; general power to make; penalties for breach of; publication of — „ ss.58to60.

4. Offences, Penalties and Legal Proceedings.

Powers of entry, inspection, seizure, detention, search and arrest — „ s.39.
Searches and arrests to be made in accordance with Code of Criminal Procedure — „ s.40.
Customs, Excise, Forest, Opium, Police, Revenue and Village-officers to report and prevent offences, and to assist Salt-revenue Officers — „ s.41.
Search-warrants — „ s.42.
Unpacking, etc., of goods, etc., for purposes of search or examination — „ s.43.
Disposal of persons arrested; enquiry by Police-officer or Salt-revenue Officer; bail — „ ss.44to46.
Penalty for illicit manufacture, removal, transport, excavation or collection of salt, etc., or retention of contraband salt — „ s.47.
„ for offences by officers — „ s.48.
„ for using, etc., incorrect application or certificate — „ s.49.
Confiscation: things liable to; adjudication of; fine in lieu of — „ ss.50,52.
Disposal of things seized — „ s.52
Offences by whom triable — „ s.51.
Powers of Salt-revenue Officer holding judicial enquiry; form, contents and service of summons — „ ss.53,54.
Notices; service and validity of — „ s.55
Recovery of costs — „ s.56.
Appeals: to whom to lie; limitation; application of Revenue Department rules — „ s.57.
Bar of penalty or damages for act done in good faith; limitation of prosecution or suit; notice of suit; tender of amends — „ s.61.

V.—MADRAS PRESIDENCY.

1. Officers.

Power to appoint officer to control the Salt Department, in connection with or independently of Board of Revenue, and to withdraw Board's or Collector's powers in respect of salt-revenue — Mad.Act4,1889,s.4.
Appointment, designation, and departmental punishment of other officers — „ ss.5,6.
Delegation of powers of Commissioner — „ s.7.
Powers and duties may be conferred and imposed on, by name or by office — „ s.81

SALT—*cont.*

V.—MADRAS PRESIDENCY—*cont.*

2. Duties, Charges, Licenses, Permits and Fees.

Duty on salt. *See above*, I.
„ „ to be collected by Collector - - - - Mad. Reg. 2, 1803, ss 2, 32.
„ „ collection of duty - - - - - Mad. Act 4, 1889, ss. 41, 43, 85.
Charges payable on removal of salt - - - - - „ ss. 43, 85.
License required for manufacture of salt; grant of license; contents of license; alteration of license; license transferable and may be relinquished; licensee deemed owner of salt-works; registry of licenses - - „ ss. 8 to 12, 17, 85.
„ „ for manufacture or refining of saltpetre; grant of license; fees for license; term and contents of license „ ss. 35 to 39, 85.
„ cancellation or suspension of - - - - „ ss. 9, 13, 15, 25, 27, 42, 73.
Permit required for removal of salt - - - - - „ ss. 43, 85.
„ restriction as to tonnage of ship carrying salt is not applicable to salt covered by - - - - - - Act 16, 1879, s. 3 (am. Act 12, 1891).

3. Management.

Manufacture of salt:
Establishment and closing of salt factories - - - Mad. Act 4, 1889, section 13.
Substitution of one system of salt manufacture for another - „ ss. 14, 15.
Compensation for closing salt factory or cancelling license - „ ss. 13, 16, 18, 34.
Powers and duties of Commissioner with reference to salt-works, licenses for which are relinquished or cancelled - - „ ss. 16, 17.
Destruction of salt manufactured contrary to conditions of license „ s. 19.
Erection of guard-sheds in salt factory - - - - „ s. 20.
Power to make rules as to - - - - - - „ s. 35.
Manufacture of salt for general sale:
Cancellation of license on failure to manufacture - - „ s. 27.
Removal of salt from closed factory - - - - „ s. 28.
Protection of salt; construction and repair of works; storing or destruction of refuse salt - - - - - „ ss. 29 to 32.
Price for which salt sold to be stated in application for permit to remove the salt - - - - - - „ s. 33.
Manufacture of salt for sale to the Government:
Quantity to be manufactured by each licensee; payment - „ s. 22.
Duties of licensee, and enforcement thereof - - - „ ss. 23 to 25.
Manufacture and refining of saltpetre:
Fencing of premises; storing and protection of materials - „ s. 42.
Destruction of materials on cancellation or suspension of license - „ s. 40.
Removal of salt on payment of duty; sale or destruction of salt on failure to remove it - - - - - „ s. 41.
Power to make rules as to - - - - - „ s. 85.
Removal of salt on payment of duty and charges; duties of permit-holder and of person superintending removal; preventive stations - - - - - - - - „ ss. 43 to 45, 85.
Rules; general power to make and alter; publication of - - „ ss. 81, 85.

V.—MADRAS PRESIDENCY—*cont.*

4. Offences, Penalties and Legal Proceedings.

Search-warrants	Mad. Act 4, 1889,	section 46.
Powers of entry, search, seizure, destruction and arrest exerciseable by Customs, Excise, Land-revenue, Police and Salt-officers; report to official superior	„	ss. 47, 49, 50, 52.
„ search and seizure exerciseable by head of village; report to Magistrate	„	ss. 48, 51.
Bail when to be taken from person arrested; bail-bond	„	ss. 47, 54 to 58.
Searches to be made in accordance with Code of Criminal Procedure	„	s. 51.
Persons arrested how to be dealt with	„	ss. 53 to 55.
Powers of Salt Inspector or Salt-revenue Officer holding judicial enquiry; form and contents of summons	„	ss. 58 to 63.
Forwarding person accused and things seized to Magistrate	„	ss. 64, 65.
Period of detention of accused person	„	s. 66.
Custody by police of things seized; sealing and sampling	„	s. 67.
Customs, Excise, Land-revenue, Police, Salt and Village-officers, to assist each other	„	s. 68.
Customs, Excise, Land-revenue, Police and Salt-officers to report and prevent offences	„	s. 69.
Landholders, tenants and cultivators to report manufacture of contraband salt	„	s. 70.
Confiscation: things liable to; adjudication of; fine in lieu of	„	ss. 71, 79.
Disposal of things seized or confiscated	„	ss. 72, 85.
Penalty for illicit removal, excavation, collection, possession, manufacture, purchase or sale of salt, etc., or refining of saltpetre; attempts and abetments	„	ss. 74, 75.
„ „ act in contravention of permit	„	s. 75.
Penalties for offences by officers	„	ss. 76 to 78.
Penalty on Salt-officer resigning without notice	„	s. 78.
Compensation to witnesses, etc.	„	s. 85.
Service of summons or notice, or tender of license, how made	„	s. 82.
Presumption as to possession of contraband salt	„	s. 83.
Recovery of sums due to Government	„	s. 84.
Appeals from orders to whom to lie	„	s. 86.
Bar of suit for act done in good faith; limitation of suit or prosecution	„	s. 87.

VI.—BOMBAY COAST AND MADRAS WESTERN COAST.

Penalty for carrying salt in ship of less than 300 tons burden, except in certain cases	Act 16, 1879,	ss. 2, 3 (am. Act 12, 1891).
Power to stop, enter, search and seize such ship, and make arrest; penalty for resisting search, etc.; confiscation of ship and cargo; jurisdiction; power to exempt salt from operation of Act	„	ss. 3 to 8.

VII.—BURMA.

Duty. *See above*, I.

SALT—*cont.*

VII.—BURMA—*cont.*

Duty; composition for - - - - - - (L.B.)Act2,1876,ss.39(*c*) (rep.in pt.Act 12,1882),43 to53,58(*a*). (U.B.)Reg.3,1889,s.33(*b*).

Manufacture and storing of; penalty; confiscation - - - (L.B.)Act2,1876,s.39(rep. in pt.Act12,1882). (U.B.)Reg.3,1889,s.33.

Revenue payable on account of salt:

Recovery of - - - - - - - (U.B.)Reg.3,1889,ss.37to 46.

Bar to jurisdiction of Civil Courts in matters relating to - „ „ s.53.

SALTED FISH.

Duty on imports of, by sea, or imports by land from foreign territory - - - - - Act8,1894,ss.3,5,Sch.3 (am.Act3,1896).

„ „ „ coastwise - - - - - Act8,1878,s.20(*b*)[qu. rep.byAct8, 1894,s.2(*4*)].

Drawback not allowed on re-exportation of - - - - „ s.50(*d*).

SALVAGE. *See* MERCHANT SHIPPING, 8 (*c*); NAVY, 4 (*b*).

SANITARY DRAINAGE ACT (BENGAL), 1895. (*See* DRAINAGE) - - Ben.Act8,1895.

SANITATION OF VILLAGES.

Ajmere. *See* VILLAGE, A, 2.
Bombay. „ „ B, 2.
Central Provinces. „ „ E, 2.
North-Western Provinces. „ „ G, 2.

SANTHAL PARGANAS.

List of - - - - - - - - Act37,1855,s.1(*1*),Sch.(am. Act10,1857).

Are a Scheduled District - - - - - - Act14,1874,s.1,Sch.I,Pt. III. Act15,1874,s.2,Sch.VI,Pt. III.

Removed from operation of Bengal Regulations and Acts passed by Governor General in Council; no future law passed by Governor General in Council to extend to Santhál Parganas unless they are specially named; savings - - - - - Act37,1855,s.1(*1*).

What enactments to be in force in; bar to operation of others - Reg.3,1872,s.3,Sch.(am. Reg.3,1886,ss.2to6; pt.rep.Act9,1894).

Power to withdraw enactments from, and bring enactments into force in - - - - - - - - -

Power of Local Government to issue directions to officers - - Act37,1855,s.1(*2*).

Such directions to be consistent with enactments in force in - - Reg.5,1893,s.27.

Administration of civil and criminal justice and collection of revenue by such officers; savings - - - - - Act37,1855,ss.2,3(pt.rep Reg.5,1893 Reg.3,1872,section

Criminal Justice:

Modification in Act 10, 1882 (Code of Criminal Procedure) - Reg.5,1893,section4.

Civil Justice:

Courts established under Act 12, 1887:

Grades of Courts; Judges - - - - - „ ss.7,8.

SANTHAL PARGANA—*cont.*
Civil Justice—*cont.*:
Courts established under Act 12, 1887—*cont.*:
Jurisdiction; procedure; appeal - - - - Reg.5,1893,secs.9,10.
Certain sections of Act 12, 1887, not to apply - - „ s.11.
Courts of Officers appointed under Act 37, 1855:
Grades of Courts - - - - - - - „ s.12.
Number and jurisdiction of Courts - - - - „ ss.13,14.
What Courts to exercise powers of High Court and District Court - - - - - - - - „ s.15.
Control over Courts - - - - - „ s.16.
Appeal and revision - - - - - „ ss.17to19,22.
Distribution of business and transfer of cases - - „ ss.20,21.
Irregularities when not to affect proceedings - - „ s.23.
Place for execution of sentence of imprisonment - - - Act37,1855,s.3.
Provisions as to rate of interest - - - - - Reg.3,1872,s.6(am.Reg. 5,1893,s.24).
Certain agreements exempted from stamp duty - - - „ s.7.
Court-fees Act, 7 of 1870, not to apply in certain cases - - „ s.8.
Acts 37, 1855, and 10, 1857, declared in force in - - - „ s.3(am.Reg.3, 1886).
„ „ „ „ repealed when Act 14, 1874 (Scheduled Districts), is declared in force in - Act14,1874,ss.2,3,Sch.II.
Settlement of land-revenue. *See* LAND-REVENUE, IV, 3 (*a*).
See also LANDLORD AND TENANT, III, B.

SARAIS ACT, 1867 - - - - - - - - Act22,1867.

SARAI.
Act 22, 1867, applies *proprio vigore* to Bengal and North-Western Provinces, and may be extended to other places except the Presidency-towns - - - Act22,1867,section17.
„ „ except s. 8, not to apply to sarais under direct management of Municipal Committee - - - „ s.16.
Definitions - - - - - - - - „ s.2.
Registration of - - - - - - - - „ ss.3to6,Sch.
Duties and liabilities of keeper of - - - - - „ ss.7to10,12.
Power of District Magistrate to close, secure, clean or demolish - „ ss.9to12.
„ Local Government to make rules for working of Act - „ s.13.
Penalty for infringing Act or rules; recovery of penalties - - Saving of prosecutions under other laws - - - - „ s.14.
Keeper to be licensed after third conviction of offence against Act - „ s.15.
To be under authority of Local Self-government Boards:
Ajmere. *See* LOCAL SELF-GOVERNMENT, II, 3.
Bengal. „ „ „ III, 3.
Central Provinces. „ „ „ V, 3.
N.-W. P. and Oudh. „ „ „ VII, 3.
Punjab. „ „ „ VIII, 3.
Regulation of, in municipalities:
Aj., L. B., C. P. *See* MUNICIPALITY, II, 6 (*t*).
Assam. „ „ IV, 6 (*o*); V, 6 (*q*).
Ben. Districts. „ „ V, 6 (*q*).
N.-W. P. and Oudh. „ „ X, 6 (*i*).
Punjab. „ „ XIV, 6 (*t*).

SARANJAMIDARS.
In Bombay Presidency; judicial powers of. *See* CIVIL COURTS, VI, B.

SATARA DISTRICT. *See* DEKKHAN, ETC., 4.

SATI REGULATION (BENGAL), 1829[1] - - - - Ben.Reg.17,1829.

SATI. *See* HINDU WIDOW.

SAVINGS BANKS.
Government. *See* BANK, 2.
Military. *See* ARMY, 7 (*e*).

SCAVENGING IN MUNICIPALITIES. *See cross-references from* RUBBISH AND OFFENSIVE MATTER.

SCHEDULED DISTRICTS Act, 1874 - - - - - Act14,1874.

SCHEDULED DISTRICTS.

List of - - - - - - - - - Act14,1874,s.1,Sch.I(pt. rep.Acts14of1881,7 of1885,20of1890,12 of1891; am.Acts19 of1879,25of1881,8 of1883,12of1891,2 of1893andReg.I of1894).
Act15,1874,s.2,Sch.VI(pt. rep.Acts14of1881,7of 1885,20of1890and12 of1891;am.Acts19of 1879,25of1881,8of 1883and12of1891).

Territories to which 33 Vict. c. 3, s. 1, is applied become Scheduled Districts - - - - - - - - Act14,1874,s.1.

Act 14, 1874 (the Scheduled Districts Act, 1874), declared in force in—
the Arakan Hill District (except s. 10) - - - - Reg.9,1874,s.3(am.Act11, 1889,s.102).
Upper Burma generally (except the Shan States) - - Act20,1886,s.6.
British Baluchistan - - - - - - - Reg.1,1890,s.3.
Angul and the Khondmals - - - - - Reg.1,1894,s.3.

Act 14, 1874, not to apply to any Scheduled District until declared in force therein by notification - - - - - - Act14,1874,s.1.

The declarations which are contained in the Laws Local Extent Act, 1874, as to certain enactments being in force throughout British India or throughout certain provinces, do not affect the Scheduled Districts - - - - - - - - - Act15,1874,ss.3to7.

Power to declare enactments to be in force in, or not in force in - Act14,1874,sections3,4.
Power to extend enactments to - - - - - - ,, s.5.
Power to restrict and modify enactments in declaring or extending them under Act 14, 1874, s. 3 or s. 5 - - - - ,, s.5A(ins.Act 12,1891).
Power to appoint officers to administer justice, superintend the settlement and collection of revenue, superintend matters relating to rent, and otherwise conduct the administration; power to regulate procedure of such officers, etc. - - - - ,, s.6.
Continuance of existing rules and officers - - - - ,, s.7.

[1] This short title was given by Act 5, 1897, s. 4.

SCHEDULED DISTRICTS—*cont.*	
Place of imprisonment or transportation	Act 14, 1874, s. 9.
Settlement of questions as to boundary	„ s. 8.
Act 14, 1874, and notifications thereunder not to affect—criminal jurisdiction over European British subjects, or certain other laws	„ s. 11.
SEA.	
Trial in Courts of British Possession of offences committed at sea or within Admiralty jurisdiction	12-3 V. c. 96, ss. 1, 2, 5. 57-8 V. c. 60, s. 686.
„ as for offence in British Possession on death there from injury inflicted at sea	12-3 V. c. 96, s. 3.
„ as for offence at sea, on death at sea from injury inflicted in British Possession	
„ in Court of British Possession of offences committed elsewhere, under Foreign Jurisdiction Acts. *See* FOREIGN JURISDICTION.	
Extension of 12 & 13 Vict. c. 96 to India; person charged, when entitled to claim trial in Supreme Court	23-4 V. c. 88.
Power of legislature of British Possession to provide for trial in Possession on death at sea or out of Possession from injury inflicted in Possession	23-4 V. c. 122.
Extension, by Order in Council, of 12 & 13 Vict. c. 96 and 23 & 24 Vict. c. 122 to any place to which Foreign Jurisdiction Act, 1890, applies	53-4 V. c. 37, s. 5, Sch. 1.
Punishment on trial by Indian Court, under Imperial Act, for offence at sea or out of jurisdiction, or offence within jurisdiction punishable by Imperial Act	37-8 V. c. 27.
Trial, etc., of offences under Merchant Shipping Act. *See* MERCHANT SHIPPING, 11 (*a*).	
„ of offences committed ashore or afloat, out of Her Majesty's dominions, by persons employed on British ships	57-8 V. c. 60, s. 687.
„ of British subject for offence on board British ship	„ s. 686.
„ „ „ „ foreign ship to which he does not belong, or in foreign port	„ s. 686.
„ of person not British subject for offence in British ship at sea	„ s. 686.
Conveyance of offenders to United Kingdom or British Possession, by order of naval court or consular officer	„ ss. 483, 689.
Inquiry as to cause of death on foreign-going ship	„ s. 690.
Depositions, when receivable in evidence	„ s. 691.
Arrest of foreign ships found in territorial waters, for damage to British property, wherever caused	„ s. 688.
Trial of offences committed within territorial waters of Her Majesty's dominions, though committed on or by means of foreign ship; saving as to trial of pirates; definition of territorial waters, etc.	41-2 V. c. 73.
Payment of expenses on prosecution of offences committed ashore or afloat out of Her Majesty's dominions by persons employed on British ships	57-8 V. c. 60, s. 701.
„ „ „ „ of felony or misdemeanour committed within jurisdiction of Admiralty	„ s. 701.
Expenses of conveying offenders and witnesses, when offence committed at sea or abroad, payable by Parliament	„ s. 689.

SEA—*cont.*
Arrest, etc., of fugitive offenders. *See* FUGITIVE OFFENDER.
Extradition of persons charged with offences committed at sea. *See* EXTRADITION, 1 (*c*).
Further provisions as to jurisdiction over offences and matters occurring on the sea. *See* COLONIAL COURT OF ADMIRALTY; EXTRADITION; FOREIGN ENLISTMENT; MERCHANT SHIPPING, 1 (*c*), 7 (*c*); NAVY, 4 (*b*), 5 (*b*); PIRACY; PRIZE; SALT, VI; SLAVE TRADE.

SEA CUSTOMS ACT, 1878. [*See* CUSTOMS; CUSTOMS (SEA)] - - Act8,1878.

SEA PASSENGERS ACT (INDIAN), 1885. [*See* MERCHANT SHIPPING, 3 (*a*)] - - - - - - - - - - Act12,1885.

SEAL.
Act 3, 1862, declared in force throughout British India, except as regards the Scheduled Districts - - - - - Act15,1874,s.3.
Power of Government of India and Local Governments to use a seal, in cases where Act or Regulation prescribes use of the seal of the East India Company - - - - - - Act3,1862.
Power of Local Government to direct what official seals shall be used by public officers - - - - - - - Bom.Act5,1883,ss.3,4. Mad.Act6,1865,s.1.
Of Civil Courts - - - - - - - (As.,Ben.,N.-W.P.)Act12, 1887,s.16. (Oudh)Act13,1879,s.13. (Bom.)Act14,1869,ss.11, 20,29. (L.B.)Act11,1889,s.8. (U.B.)Reg.1,1896,s.22. (C.P.)Act16,1885,s.19. (Mad.) Act3,1873,s.9. Act7,1892,s.17.
Of Courts in Sindh - - - - - - - Bom.Act12,1866,s.11.
Of Parsi Matrimonial Court - - - - - - Act15,1865,s.20.
Of Presidency Small Cause Court - - - - - Act15,1882,s.12.
Of Provincial „ „ „ - - - - - Act9,1887,s.29.
Of Recorder of Rangoon - - - - - - Act11,1889,s.37.
Of Special Court, Burma - - - - - - „ s.63.

SEAMEN. *See* MERCHANT SHIPPING, 2.

SCIENTIFIC SOCIETY. *See* SOCIETY, 1.

SECRET. *See* OFFICIAL SECRETS.

SECRETARIES.
To Governments of India, Bengal, Madras and Bombay may exercise powers, etc., of Chief Secretary - - - - Act2,1834.

SECRETARY OF STATE FOR INDIA. *See* GOVERNMENT OF INDIA, 2 (*a*).

SECURITIES ACT (INDIAN), 1886. (*See* GOVERNMENT SECURITIES) - Act13,1886.

SECURITY.
For keeping the peace or for good behaviour. *See* CRIMINAL LAW (INDIAN), 6 (*a*).

SEDITIOUS PUBLICATIONS ACT, 1882 - - - - - - *Act3,1882.*

SEDITIOUS PUBLICATIONS.
Search for, in Post Office, and disposal of - - - - Act14,1866,s.60A(ins.Act 3,1882,s.3).

SENTENCES OF CRIMINAL COURTS.
Confirmation of. *See* CRIMINAL PROCEDURE (INDIAN), 9 (2).
Execution of. „ „ „ „ 9 (3).
Suspension, remission and commutation of. *See* CRIMINAL PROCEDURE (INDIAN), 9 (4).
SESSIONS COURTS (BENGAL) ACT, 1871.[1] (*See* JUDGE) - - Act19,1871.
SESSIONS JUDGE. *See* CRIMINAL PROCEDURE, 2; JUDGE.
SETTLEMENT REGULATION (SANTHAL PARGANAS). [*See* LANDLORD AND TENANT; LAND-REVENUE; SANTHAL PARGANAS] - Reg.3,1872.
SETTLEMENT OF LAND-REVENUE.
Definitions. *See* WORDS AND PHRASES.
Permanent. *See* PERMANENT SETTLEMENT.
Temporary:
In Assam. *See* LAND-REVENUE, III, A, 3; III, B, 2 (*a*).
„ Bengal. „ „ IV, 3 (*a*).
„ Bombay Presidency. „ „ VII, A, 4; B; C.
„ Lower Burma. „ „ IX, 2.
„ Central Provinces. „ „ XI, 3 (*a*).
„ Coorg. „ „ XII, 4.
„ Madras Presidency. „ „ XIII, 3 (*a*).
„ North-Western Provinces. „ „ XV, 3.
„ Oudh. „ „ XVI, 3.
SEWERAGE AND DRAINAGE ACT (NORTH-WESTERN PROVINCES AND OUDH, 1894. (*See* MUNICIPALITY, XI, 3) - - - - N.&O.Act3,1894.
SHAN STATES ACT, 1888. (*See* BURMA) - - - - Act15,1888.
SHERIFFS.
Of Bombay, Calcutta and Madras:
Remuneration of, for execution of processes issued by Provincial Courts - - - - - - - - Act8,1852,ss.1to7.
Liability of, for escape of prisoners arrested in execution of such process - - - - - - - - „ s.8.
SHIFTING CULTIVATION.

Forests.

Treatment of claims relating to, in constituting reserved forest. *See* FOREST, 1.

1. Ajmere (Bhum).

Definition of, and proprietary right in - - - - Reg.2,1877,ss.31,32.
Special rules as to succession to - - - - - „ ss.33,34.
Settlement of claims against Bhumia for maintenance - - „ s.35.
Restriction on alienation or charging of - - - - „ s.36.

2. Assam (Jhum).

See LAND (INDIAN LAW), C.
Sylhet:
Reg. 3, 1891, to apply only to notified areas - - - Reg.3,1891,s.1.
Publication of notifications under s. 1; effect of defects in publication - - - - - - - - „ ss.1,5.
Extinction of rights in respect of which jhum, tippera, gurkati or pani-sikkâ assets were assessed in permanent settlement of land - - - - - - - - „ s.2.

[1] This short title was given by Act 5, 1897, s. 4.

SHIFTING CULTIVATION—*cont.*

2. Assam (Jhum).—*cont.*

Sylhet—*cont*:

Compensation for such rights - - - - - Reg.3,1891,s.3.

Orders under Regulation to be subject to confirmation by Local Government - - - - - - - „ s.4.

3. Lower Burma (Toungya Cultivation).

See LAND (INDIAN LAW), E; LAND-REVENUE, IX, 2.

SHIP; definitions of. *See* WORDS AND PHRASES.

SHIPOWNER. *See* MERCHANT SHIPPING, 1.

SHIPPING. *See* INLAND STEAM VESSELS; MERCHANT SHIPPING.

SHOLAPUR DISTRICT. *See* DEKKHAN, ETC., 5.

SHORT TITLES ACT, 1896. (*See* ACTS OF PARLIAMENT, 1) - - 59-60V.c.14.

SIGNALS. *See* MERCHANT SHIPPING, 7 (*a*).

SINDH.

Is a Scheduled District - - - - - - - Act14,1874,s.1,Sch.I,Pt. II. Act15,1874,s.2,Sch.VI, Pt.II.

Sadr Court; constitution of; to be highest Court of Appeal in civil and criminal matters - - - - Bom.Act12,1866,s.1.

„ „ appointment of Judge of - - - - „

District Courts; constitution of - - - - - „ s.2.

„ „ appointment, etc., of Judges of - - - „

„ „ to be principal Courts of original civil jurisdiction and to be Courts of Session - - - „ s.3.

District Court at Karachi declared to be a Colonial Court of Admiralty - - - - - - - - - Act16,1891,s.2.

Subordinate Civil Courts; number, subordination, jurisdiction and Judges of - - - - - - - - - Bom.Act12,1866,ss.4,5,9.

Civil appeals - - - - - - - - „ ss.6to8

Ministerial officers of Courts - - - - - - „ s.10.

Seal of Courts - - - - - - - - - „ s.11

Special procedure for execution of decrees for debt passed against certain persons - - - - - - - - „ s.15,Sch.(am. Bom.Act3, 1868,s.1).

Power to amend the Schedule to Bom. Act 12, 1866 - - Bom.Act3,1868,s.2.

Thar and Parkar District:

Bom. Act 12, 1866, does not apply *proprio vigore* to; power to extend the Act to - - - - - - - Bom.Act12,1866,s.21.

Power of Governor of Bombay in Council to delegate his powers in, to Commissioner - - - - - - - - - Act5,1868(am.and pt.rep. Act12,1891).

Bombay High Court not to have jurisdiction in - - - - Act 5, 1872, section 1.

Act 5, 1872, not to—

affect Administrator General's Act, 1874 - - - - „ s.2(ad.Act20, 1872;am.Act 12,1891).

invalidate past or future grants of probate or letters of administration - - - - - - - - - „ s.3 (ad.Act 20,1872).

affect criminal jurisdiction over European British subjects „ s.4 (ad.Act 20,1872).

Frontier. *See* FRONTIER, F.

SINDH—*cont.*
Village-officers in. *See* VILLAGE, B, 1 (c).
For further provisions enacted specially for Sindh, see the appropriate heads.
SIR-LAND defined. *See* WORDS AND PHRASES.
SLAUGHTER OF ANIMALS.
See AJMERE, 4; PUNJAB, 5.
Regulation of, in municipalities:
Aj., L.B., C.P. *See* MUNICIPALITY, II, 6 (*h*).
As. „ „ IV, 6 (*i*); V, 6 (*j*).
Ben. Districts. „ „ V, 6 (*j*).
Cal. „ „ VI, 6 (*i*).
Bom. Districts. „ „ VII, 6 (*h*).
„ City. „ „ VIII, 6 (*g*).
Mad. Districts. „ „ XII, 6 (*h*).
„ City. „ „ XIII, 6 (*g*).
Punjab. „ „ XIV, 6 (*h*), (*k*).
SLAVERY.
Importation of slaves into colonies forbidden - 5G.4,c.113. 36-7V.c.88.
Prohibition of sale of person or of right to compulsory labour - Act 5,1843,s.1.
Bar to enforcement of rights arising out of alleged slavery - „ s.2.
„ dispossession of property on ground of owner's slavery - „ s.3.
Penal liability for offence against alleged slave - - - „ s.4.
Act 5, 1843, declared in force—
throughout British India, except as regards the Scheduled Districts - - - - - - - Act 15,1874,s.3.
in the Santhál Parganas - - - - - Reg.3,1872,s.3 (am. Reg.3, 1886).
in the Arakan Hill District - - - - - Reg.9,1874,s.3.
in Upper Burma generally (except the Shan States) - - Act 20,1886,s.6.
in British Baluchistan - - - - - - Reg.1,1890,s.3.
in Kachin Hill-tracts, as regards hill-tribes - - - Reg.1,1895,s.3.
in certain tracts in the Chin Hills - - - - Reg.5,1896,s.3.
Punishment - - - - - - - - Act45,1860,ss.370,371.
See also SLAVE TRADE.
SLAVE TRADE ACT, 1824[1] - - - - - - 5G.4,c.113.
„ „ „ 1843[1] - - - - - - 6-7V.c.98.
„ „ „ 1873 - - - - - - 36-7V.c.88.
„ „ „ 1876[1] - - - - - - 39-40V.c.46.
SLAVE TRADE (EAST AFRICA COURTS) ACT, 1873 - - - 36-7V.c.59.
„ „ „ „ „ „ 1879 - - - 42-3V.c.38.
SLAVE TRADE:
Illegality of; penalties for engaging in; avoidance of contracts, wills and securities relating to - - - - - 5G.4,c.113.
Extension of Acts for suppression of, to all British subjects, wherever residing - - - - - - - 6-7V.c.98.
Consolidation of Acts relating to - - - - - 36-7V.c.88.
Offences as to, to be extradition crimes - - - - 36-7V.c.88,s.27.
Construction of Act of 1873 with Act of 1824 - - - „ s.24.

[1] This short title was given by 59 & 60 Vict, c. 14.

SLAVE TRADE—*cont.*
Application of Act of 1873 to future treaties - - - - 36-7V.c.88,s.29.
Jurisdiction of East African Courts (including Aden) as to - - 36-7V.c.59,ss.3,6; 42-3V.c.38,s.4.
Rules of procedure and appeals to Her Majesty in Council - - 53-4V.c.27,ss.6,13.
Application of East African Courts Acts to future treaties - - 36-7V.c.59,s.7.
„ „ „ „ „ to treaties with Egypt - 42-3V.c.38,s.3.
Punishment in India of offences against laws relating to - - 39-40V.c.46.
Offences as to ships detained under Slave Trade Acts. *See* NAVY, 3 (*b*).
See also SLAVERY.

SMALL CAUSE COURTS ACT (PRESIDENCY), 1882 - - - Act15,1882.
„ „ „ „ „ 1895 - - - Act1,1895.
„ „ „ „ (PROVINCIAL), 1887 - - - Act9,1887.

SMALL CAUSE COURTS.
Power of Registrar to state case for opinion of Judge - - Act14,1882,s.646.
Power to refer to High Court question whether suit is cognizable by Small Cause Court - - - - - - - - „ s.646A(ins. Act7,1888, s.60).

A.—PRESIDENCY-TOWNS.

1. Constitution.

Court established in Calcutta, Madras and Bombay - - - Act15,1882, section 5.
Court to be under superintendence, etc., of High Court - - „ s.6(am.Act1, 1895,s.2).
Appointment, etc., of Judges - - - - - - - „ s.7(am.Act1, 1895,s.3).
Rank and precedence of Judges - - - - - - „ s.8.
Performance of duties of absent Judge - - - - „ s.8A(ins.Act1, 1895,s.4).
Judge or officer not to practise or trade - - - - „ s.15.

2. Jurisdiction and Procedure.

Law to be administered - - - - - - - „ s.16.
Jurisdiction; local limits of - - - - - - - „ s.17.
„ what suits cognizable and what not cognizable by Small Cause Court - - - - - - - - „ ss.18,19.
Power to allow abandonment of suit against defendant residing out of jurisdiction - - - - - - - - - „ s.18A(ad.Act 1,1895,s.8).
Return of plaint when no jurisdiction; credit to be given for court-fee - - - - - - - - - - „ s.19A(ad.Act1, 1895,s.9).
Power, by consent, to try suits beyond pecuniary limits of jurisdiction; additional fee - - - - - - - - - „ ss.20,71.
Right of plaintiff to institute certain suits in High Court; costs when plaintiff sues in High Court in other cases - - - - „ ss.21,22(am Act1,1895, ss.10,11).
Registrar; judicial powers of - - - - - - „ ss.14(am.Act1, 1895,s.6). *34to36.*
Distribution of business; procedure in case of difference of opinion between Judges - - - - - - - „ ss.10,11.

SMALL CAUSE COURTS—*cont.*

A.—PRESIDENCY-TOWNS—*cont.*

2. Jurisdiction and Procedure—*cont.*

What portions of Code of Civil Procedure extend to Presidency Small Cause Courts - - - - - - - - Act14,1882,s.8(am.Act15, 1882,s.3;pt.rep.Act7,1888, s.4;*but see repeal of Act 15,1882,s.23,by Act1, 1895,s.12*).

Power of High Court to make rules as to procedure and practice - - Act15,1882,s.9(am.Act1, 1895,s.5).

No written statement except in cases of set-off - - - „ s.24.
Return of documents admitted in evidence - - - - „ s.25.
Compensation payable by plaintiff in certain cases - - - „ s.26.
Minors may sue in certain cases as if of full age - - - „ s.32.
General finality of decrees and orders - - - - „ s.37 (am.Act
New trial in contested cases - - - - - - „ s.38 1,1895,
Removal of certain cases into High Court - - - - „ ss.39,40 s.13).
No suit to lie on decree of Small Cause Court - - - „ s.94.
Recovery of possession of immoveable property; fee - - - „ ss.41to49,71.
References to High Court - - - - - - „ ss.69,70.
Execution of decrees - - - - - - - „ ss.27to31(am. Act7,1892, s.12),35.
Distress and sale - - - - - - - - „ ss 50to68, Sch.III.

3. Miscellaneous.

Ministerial officers; appointment, duties, etc., of - - - „ ss.13,33.
„ „ misconduct of - - - - - „ ss.78to82.
Seal - - - - - - - - - - „ s.12.
Fees and costs - - - - - - - - „ ss.71(pt.rep. Act7,1896),72 to77,Sch.IV.
Procedure in case of difference as to necessity or amount of fee - Act7,1870,section5.
Contempt of Court - - - - - - - - Act15,1882.ss.83to88.
Process-servers - - - - - - - - „ s.89.
Registers, returns, etc. - - - - - - - „ ss.90,91.
Holidays and vacations - - - - - - - „ s.92.
Exemptions from arrest - - - - - - - „ s.93.
Place of imprisonment - - - - - - - „ s.95.
Tender of amends to bar recovery - - - - - - „ s.96.
Limitation of prosecutions - - - - - - - „ s.97.

B.—PROVINCES.

1. Preliminary.

Act 9, 1887, extends to whole of British India, except Presidency-towns - - - - - - - - Act9,1887,ss.1,5.
„ „ declared in force in British Baluchistan - - Reg.1,1890,s.3.
„ „ does not affect—
civil jurisdiction of Magistrates - - - Village Munsifs or Village Panchayets in Madras Presidency, or - - - - Village Munsifs under Dekkhan Agriculturists' Relief Act - - - - - Act9,1887,s.3.

SMALL CAUSE COURTS—*cont.*

B.—PROVINCES—*cont.*

2. Constitution and Jurisdiction.

Power to establish Courts - - - - - - - Act 9, 1887, s. 5(1).
Appointment, etc., of Judge for one or more Courts - - - - „ ss. 6, 7.
„ „ of Additional Judge - - - - - „ s. 8.
Suspension or removal of Judge - - - - - „ s. 9.
Bench of Judges; appointment of - - - - - - „ s. 10.
„ „ procedure in case of difference of opinion between members - - - - - - „ s. 11.
Jurisdiction; local limits of - - - - - - - „ s. 5(2).
„ what suits cognizable by Small Cause Courts; other Courts not to try such suits - - - - „ ss. 15, 16, Sch. II.
Administrative control over Small Cause Courts - - - „ s. 28.
Power of District Court to submit for revision proceedings had under mistake as to jurisdiction in small causes - - - Act 14, 1882, s. 646B (ins. Act 7, 1888, s. 60).
Power to abolish Small Cause Court - - - - - Act 9, 1887, s. 30.
„ appoint Judge to other office - - - - „ s. 31.

3. Practice and Procedure.

Application of portions of the Code of Civil Procedure - - - Act 14, 1882, s. 5, Sch. II (am. Act 10, 1888, s. 1). Act 9, 1887, s. 17 (pt. rep. Act 12, 1891), s. 34.
Registrar; trial of suits by - - - - - - - „ ss. 12, 18.
„ admission, return and rejection of plaints by - - „ s. 19.
„ passing of decrees by, on confession - - - - „ s. 20.
„ execution of decrees by - - - - - - „ s. 21.
„ adjournment of cases by - - - - - - „ s. 22.
Return of plaints involving questions of title - - - - „ s. 23.
Appeal to District Court from certain orders; revision by High Court; finality in other cases - - - - - - „ ss. 24, 25, 27.

4. Miscellaneous.

Ministerial officers; appointment, etc., and duties of - - „ ss. 12 to 14, 31(2).
Seal - - - - - - - - - - - „ s. 29.
Investiture of Civil Courts with powers of Small Cause Courts:
In Aden. *See* ADEN, 2.
In Ajmere. *See* CIVIL COURTS, II, 2.
In Assam, Bengal and N.-W. Provinces. *See* CIVIL COURTS, III, 2.
In British Baluchistan. *See* CIVIL COURTS, VII.
In Lower Burma. „ „ „ VIII, 2 (*a*).
In Upper Burma. „ „ „ IX, A, 2.
In Central Provinces. „ „ „ X, 2.
In Madras Presidency. „ „ „ XII, A, 2; B, 2.
In Oudh. „ „ „ IV, 2.
In Punjab. „ „ „ XIII, 3.
Application of Act 9, 1887, to Courts invested with jurisdiction of Small Cause Court - - - - - - „ ss. 32 to 34.
Continuance of proceedings of abolished Courts - - - „ s. 25.
Government orders to be published in Gazette - - - „ s. 37.

L CAUSE COURTS—*cont.*

B.—PROVINCES—*cont.*

5. Special Provisions for Rangoon Small Cause Court.

Recorder of Rangoon to be High Court in respect of Rangoon Small Cause Court	Act 11, 1889, sec. 44.
Continuance of Judges	„ s. 82(2).
Power to restrict the functions which the Judge may assign to the Additional Judge	„ s. 82(3).
Inquiry of proceedings before Additional Judge	„ s. 82(3).
Powers of the Judge	„ s. 83.
Fees paid on applications to Recorder for revision	„ s. 85.

6. Cantonments.

Suits cognizable by Small Cause Courts in	Act 13, 1889, ss. 8 to 10
Continuance of jurisdiction notwithstanding reduction of jurisdiction of Judge	„ s. 11.

[illegible].

Calcutta Town and Suburbs and Howrah :

Definitions	Ben. Act 2, 1863, ss. 2, 5.
Act not to apply to locomotive engines or steam-vessels other than ferry-boats	„ s. 1, prov.
Furnaces to consume their own smoke	„ ss. 1, 2.
Penalty for using furnace so as to cause escape of smoke	„ ss. 1, 2.
Power to inspect furnaces; penalty for obstruction	„ s. 3.
Prosecution to be initiated only on authority of Magistrate	„ s. 4.
Recovery and application of fines	„ s. 7.

Calcutta. *See also* MUNICIPALITY, VI, 6 (*o*).

Provisions as to consumption of smoke of furnaces in other municipalities :

Central Provinces. *See* MUNICIPALITY, II, 6 (*n*).
Bombay Districts. „ „ VII, 6 (*n*).
„ City. „ „ VIII, 6 (*m*).

SOCIETY.

1. Literary, Scientific or Charitable.

Act 21, 1860, declared in force throughout British India, except as regards the Scheduled Districts	Act 15, 1874, s. 3.
Description of societies within Act 21, 1860	Act 21, 1860, sections 1, 20.
Definition of "member"	„ s. 15.
„ "governing body"	„ ss. 16, 17.
Registration of	„ ss. 1 to 3, 17, 18 (ss. 1, 18, pt. rep. Act 16, 1874 and am. Act 6, 1882, s. 255).
Annual list of governors, etc.	„ s. 4.
Property of, vested in governing body	„ s. 5.
Suits by and against	„ ss. 6 to 8.
„ against members of	„ s. 10.
Punishment of member for embezzlement, etc.	„ s. 11.
Recovery of penalty accruing under bye-law of	„ s. 9.
Alteration of purposes	„ s. 12.

SOCIETY—*cont.*

1. Literary, Scientific or Charitable—*cont.*

Dissolution - - - - - - - - - Act 21, 1860, ss.
Inspection, and granting of certified copies, of documents; such copies to be *primâ facie* evidence - - - - - - " "

2. Religious.

Act 1, 1880, extends to whole of British India - - - - }
" " does not apply to Hindus, Muhammadans or Buddhists - } Act 1,1880,sect.
" " power to exclude other persons from operation of - }
Appointment of new trustees for holding property of, and vesting of property in them - - - - - - - - - " "
Dissolution of - - - - - - - - - " ss.
Reference of questions to High Court - - - - - " "

SOLDIER defined. *See* WORDS AND PHRASES.

SOLICITOR.
Admission in England of British subjects who have been attorneys or solicitors in Courts of certain British Possessions; examinations in certain cases - - - - - - - - - 20-1 37-8 47-8
Lien of - - - - - - - - - - Act 9,18 1.
See also LEGAL PRACTITIONER, 4.

SOLITARY CONFINEMENT. *See* CRIMINAL LAW (INDIAN), 2.

SOUTH INDIAN RAILWAY PURCHASE ACT, 1890 - - - - 53-4V.c.6.

SOUTH LUSHAI HILLS REGULATION, 1896 - - - - - Reg.3,1896.

SOUTH LUSHAI HILLS.
Power of Lieutenant-Governor of Bengal to direct that laws in force in, shall cease to be in force; such direction not to affect criminal jurisdiction over European British subjects - - - - Reg.3,1896.

SPECIAL COMMISSIONERS, BENGAL. *See* LAND-REVENUE, IV, 2.

SPECIAL COURT, BURMA.
Constitution of (Judicial Commissioner of Lower Burma and Recorder of Rangoon; power of Local Government to add the Judge of Moulmain) - - - - - - - - - Act 11, 1889,sec.62(*1*),(*2*).
Precedence of Judges - - - - - - - - " s.62(*3*),(*4*).
Place of sitting; seal - - - - - - - - " s.63.
Ministerial officers - - - - - - - - " ss.63,88,93.
Appeal to, from order of Recorder in insolvency - - - " s.50(*5*).
" from decrees and orders of Judge of Moulmain - - " s.64.
Transfer to, of civil or criminal case or appeal from Judicial Commissioner or Recorder - - - - - - - - " ss.65,68.
To be High Court—
in certain criminal matters - - - - - - " s.66.
for purposes of Court Fees Act, 1870, and Indian Limitation Act, 1877 - - - - - - - - - " s.71.
for purposes of s. 47 of the Guardians and Wards Act, 1890, in respect of appeals from orders of Judge of Moulmain - " s.87(am.Act 12,1891).
Sittings of, at request of Judicial Commissioner or Recorder - - " ss.67,68.
Procedure in case of difference of opinion between members of Court; reference to High Court - - - - - - - - " ss.69,70.
When there is an additional Recorder of Rangoon, provisions as to Judge of Moulmain to be read as applying to him - - " s.72.

SPECIAL COURT, BURMA—*cont.*
Power to make rules of practice, etc., for - - - - Act 11, 1889, ss. 91 (3), 92, 93
Rules to be published in Burma Gazette - - - - „ s. 96.
Who may appear, etc., as advocates in. *See* LEGAL PRACTITIONER, 5.

SPECIAL POLICE. *See* POLICE, I, A, 4; D, 4; E, 4; F, 4; G, 4; H, 4; J, 4; K.

SPECIFIC RELIEF ACT, 1877. (*See* PREVENTIVE RELIEF; SPECIFIC RELIEF) - - - - - - - - - Act 1, 1877.

SPECIFIC RELIEF.
Act 1, 1877, extends to whole of British India, except the Scheduled Districts [1] - - - - - - Act 1, 1877, s. 1.
„ „ declared in force in the Town of Mandalay - - Act 20, 1886, s. 6.
„ „ s. 9, declared in force in—
Upper Burma generally (except the Shan States) - Act 20, 1886, s. 6.
British Baluchistan - - - - Reg. 1, 1890, s. 3.
Definitions - - - - - - - - - Act 1, 1877, section 3.
Savings - - - - - - - - - „ s. 4.
How given - - - - - - - - - „ s. 5.
Not to be granted to enforce penal law - - - - „ s. 7.
Property, immoveable; recovering possession of - - - „ ss. 8, 9.
„ „ moveable „ „ - - - - „ ss. 10, 11.
[redacted] specific performance of:
Cases in which specific performance enforceable - - - „ ss. 12 (pt. rep. locally, Act 2, 1882, ss. 1, 2), 13 to 17.
Contracts of workmen engaged on construction of public work. *See* PUBLIC WORKS.
Purchaser's rights against vendor with imperfect title - - „ s. 18.
Power to award compensation in certain cases - - - „ s. 19.
Liquidation of damages not a bar to specific performance - „ s. 20.
Cases in which specific performance not enforceable - - „ s. 21.
Discretion of Court as to decreeing specific performance - „ s. 22.
For whom specific performance may be enforced - - - „ ss. 23 to 25.
„ „ specific performance may not be enforced, except with a variation - - - - - „ s. 26.
Against whom specific performance may be enforced - - „ s. 27.
„ „ „ „ may not be enforced - „ s. 28.
Dismissal of suit for specific performance bars suit for compensation for breach of contract - - - - - „ s. 29.
Contracts and other instruments; rectification of:
When Court may rectify - - - - - - - „ ss. 31, 32.
Court may look to intention of parties - - - - „ s. 33.
Specific performance of contract after rectification - - „ s. 34.
Contracts; rescission of - - - - - - - „ ss. 35, 36 (pt. rep. locally, Act 4, 1882, ss. 1, 2), 37, 38.
Awards, and directions in will to execute settlement; ss. 12 to 29 applied to - - - - - - - - - „ s. 30.
Cancellation of instruments - - - - - - - „ ss. 39 to 41

[1] The Act has been extended to several Scheduled Districts by notification.

SPECIFIC RELIEF—*cont.*

Declaratory decrees :	
Power to make	Act 1, 1877, section 42.
Effect of	,, s.43.
Appointment of receiver pending suit	,, s.44.
Enforcement of public duties :	
Power of High Court of Calcutta, Madras or Bombay to order public servants and others to do certain specific acts; procedure	,, ss.45to49.
High Court not to issue writ of *mandamus*	,, s.50.
High Court to make rules as to procedure	,, s.51.
Mandatory injunctions	,, s.55.

SPIRIT.

Definitions of. *See* WORDS AND PHRASES.	
Duty on imports of, by sea, or imports by land from foreign territory	Act8,1894,ss.3,5,Sch.3.
Duty leviable on imports coastwise	,, ss.2(4),7.
See also CUSTOMS (INLAND) ; CUSTOMS (SEA) ; EXCISE, 3.	

SPITI REGULATION, 1873	Reg.1,1873.

SPITI.

Is a Scheduled District	Act14,1874,s.3,Sch.I,Pt. Act15,187
Criminal jurisdiction of the Nono of Spiti : fines leviable by him ; his procedure	Reg.1,1873,ss.2to
,, ,, of Assistant Commissioner of Spiti	,, ss.9,13
Future laws not to apply to Spiti unless the place is named therein	,, s.

STAGE-CARRIAGE.

Act 16, 1861, applies to whole of British India ; local laws saved	Act16,18
Definitions of "stage-carriage," "horse," etc.	Act16,1861,s.1,s.21(am. Act16,1876, s.1).
Licensing and marking of carriages; fee for license; penalties; seizure of carriage	,, ss.2to8,10,11.
Penalty for ill-treating animal	,, ss.9,10.
,, on driver, etc., endangering safety of passenger, etc., or injuring or endangering property	,, s.12.
Proceedings against owner when offence committed by driver, etc.	,, s.13.
Service of summons; cognizance of offences; recovery of fines, etc.	,, ss.14to20.
Application of Bengal Act relating to hackney-carriages when hackney-carriage plies for hire as a stage-carriage; definition of "stage-carriage"	Ben.Act2,1891,ss.3(4),44.

STAMP ACT (INDIAN), 1879. (*See* STAMPS)	Act1,1879.
STAMPS AND LIMITATION REGULATION (UPPER BURMA), 1887. (*See* STAMPS, 4)	Reg.10,1887.

STAMPS.

1. Preliminary.

Act 1, 1879, extends to whole of British India	Act1,1879,s.1.
,, ,, declared in force in—	
the Santhál Parganas	Reg.3,1872,s.3(am.Reg.3, 1886).

1. Prelim

Act 1, 1879, declared in force in—*cont.*
Upper Burma generally (except the Shan States)
British Baluchistan (with a modification)
the Sub-division of Angul

Definitions

2. Duty.

General list of instruments liable to duty — No.
16,1894,s.
27am.Act9,1
A
an
4;N
andN
Act13,1

Duty payable on policies of sea insurance — „ s.7A(ins.Act 6,1894,s.2),Sch.I, No.49(am.Acts1, 1888,s.2,and6, 1894,ss.3,4),

„ „ on certificate issued under Legal Practitioners Act — Act18,1879,s.25(am.Act9, 1884,s.5),Sch.II.

„ „ on share warrants — Act6,1882,s.35.

„ „ on bonds, debentures or other certificates issued on loans under Local Authorities Loan Act, 11, 1879 — Act1,1879,s.7B(ad.Act13, 1897,s.1).

„ „ where several instruments used in same transaction — s.6.

„ „ when instrument relates to several distinct matters or comes within several descriptions in Sch. I — „ s.7.

Exemptions — „ ss.5,7B(ad.Act 13,1897,s.1), Sch.II(No.2 pt.rep.,No.10 rep.,No.13am. Act12,1891;No. 11pt.rep.Act9, 1884,s.10).

Power to reduce or remit duty — „ s.8.

Duty how to be paid; use of stamps — „ ss.9to15.

...ing R20, etc., to give	Act 1, 1879,	section 58.
	„	ss.16to18.
	„	ss.19to28(s.24; restricted,Act 6,1894,s.5).
	„	s.29.
...to proper stamp	„	ss.30to32.
...ped :		
...procedure thereupon	„	ss.33,35to37,43.
...idence, and not to be acted upon or registered ;	„	s.34.
	„	ss.34,36,37,39.
...payment of, not to bar prosecution	„	s.40.
...remission of	„	s.42.
...ptance of duty when instrument unduly stamped by accident or through urgent necessity	„	s.38.
...Endorsement when proper duty paid	„	s.39.
...Recovery from third person of duty or penalty paid	„	s.41.
... payee to stamp bills, notes and cheques received by ...stamped, and recover amount	„	s.44.

3. Management.

...o Chief Controlling Revenue Authority	„	s.4[illegible]
...to High Court or Chief Court	„	ss.46to4[illegible]
...by Courts	„	s.5[illegible]
...e for spoiled or misused stamps	„	ss.51to5[illegible]
... „ stamps not required for use	„	s.5[illegible]
Power of Local Government to make rules as to sale of stamps	„	s.55.
„ Governor General in Council to make rules	„	s.56.
Publication of rules	„	s.57.

4. Miscellaneous.

Powers exerciseable from time to time	„	s.57.
Act to be translated and indexed and sold at four annas a copy or less	„	s.60.
Penalties	„	ss.34,36,37,39, 61to68.
Prosecutions; sanction required to initiation of	„	s.69.
„ power to stay, and compound offence		
„ what Magistrates to have jurisdiction	„	s.70.
„ place of trial	„	s.71.
„ under other laws not barred, but only one punishment allowed	„	s.72.
Provisions of Act 1, 1879, as to consequences of instruments not being duly stamped, not to apply to instruments executed before s. 6 of Upper Burma Laws Act, 20 of 1886, came into force	(U.B.)Reg.10,1887,s.2.	

Offences relating to stamps. *See* CRIMINAL LAW (INDIAN), **10.**

STAMPS—*cont.*

4. Miscellaneous—*cont.*

Court-fees :
Act 1, 1879, not to affect Court-fees Act - - - Act1,1879,s.59.
See also COURT-FEES.

Postal :
See POST OFFICE (INDIAN LAW), 2, 3, 6.

STATE FOREST. *See* FOREST, 1.

STATE OFFENCES REGULATION (BENGAL), 1804[1] - - - Ben.Reg.10,1804.

STATE OFFENCES.

Ben. Reg. 10, 1804,[2] declared in force—
throughout Bengal and the North-Western Provinces, except as regards the Scheduled Districts - - - - Act15,1874,ss.6,7.
in the Santhál Parganas - - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
in the Punjab - - - - - - - Act4,1872,s.3.
in the Arakan Hill District (with modifications) - - Reg.9,1874,s.3.
in the Central Provinces - - - - - Act20,1875,s.3.
in Oudh (with modifications) - - - - - Act18,1876,s.3.
in Ajmere - - - - - - - Reg.3,1877,s.3.
in Angul and the Khondmals - - - - - Reg.1,1894,s.3.
Mad. Reg. 7, 1808, declared in force throughout the Presidency of Madras except as regards the Scheduled Districts - - - Act15,1874,s.4.

Power of Governor General in Council—
to suspend functions of Criminal Courts and establish martial law during time of war or rebellion, and - - - Ben.Reg.10,1804,s.2, Mad.Reg.7,1808,s.2(am. Act13,1894).
direct trial by Court-martial of persons owing allegiance to British Government taken in arms against Government or in commission of act of rebellion or of abetment of enemy - Ben.Reg.10,1804,s.2, Mad.Reg.7,1808,s.2(am. Act13,1894).
Capital punishment and forfeiture of property on conviction by such Court-martial - - - - - - - - Ben.Reg.10,1804,s.3. Mad.Reg.7,1808,s.3.
[illegible]n. Reg. 10, 1804, and Mad. Reg. 7, 1808, not to prevent trial by [illegible]rdinary Courts at instance of Governor General in Council - Ben.Reg.10,1804,s.4. Mad.Reg.7,1808,s.4(am. Act13,1894).
[illegible]rt title given to Ben. Reg. 10, 1804 - - - - Act5,1897,s.4.
[illegible]mission for trial of. *See* DISTURBED DISTRICT.
[illegible]also CRIMINAL LAW (INDIAN), 4 ; FOREIGNER, 1.

[illegible]TATE PRISONERS REGULATION (BENGAL), 1818[1] - - - Ben.Reg.3,1818.

STATE PRISONER.

1818. Ben. Reg. 3, ss. 2 to 7 (State Prisoners).
1819. Mad. Reg. 2, ss. 2, 3, 5 to 7 (State Prisoners).
1827. Bom. Reg. 25, ss. 1 to 5 (State Prisoners).
1839. Act 24, s. 7 (Ganjam and Vizagapatam).
1850. Act 34 (State Prisoners).
1858. Act 3 (State Prisoners).
1859. Act 20, s. 6 (Murderous Outrages).
1860. Act 45, ss. 128 to 130 (Penal Code).
1867. Act 23, ss. 12, 13 (Murderous Outrages).
1871. Act 5, s. 15 (Prisoners).
1872. Act 4, s. 3 (Laws, Punjab).
„ Reg. 3, s. 3 (Laws, Santhál Parganas).
1874. Act 15, ss. 3 to 7 (Laws Local Extent).

[1] This short title was given by Act 5, 1897, s. 4.
[2] Ben. Reg. 10, 1804, has also been declared in force in Assam, except the North Lushai Hills, by notification under the Scheduled Districts Act, 1874.

STATE PRISONER—*cont.*

1874. Reg. 9, s. 3 (Laws, Arakan Hill District).
1875. Act 20, s. 3 (Laws, Central Provinces).
1876. Act 18, s. 3 (Laws, Oudh).
1877. Reg. 3, s. 3 (Laws, Ajmere).
1882. Act 10, s. 491 (*Habeas Corpus*).
1886. Act 20, s. 6 (Laws, Upper Burma).
1889. Act 11, s. 99 (2) (Courts, etc., Lower Burma).
1890. Reg. 1, s. 3 (Laws, British Baluchistan).
1894. Reg. 1, s. 3 (Laws, Angul).
1895. Reg. 1, s. 3 (Laws, Kachin Hills).
1896. Reg. 5, s. 3 (Laws, Chin Hills).

Act 34, 1850, declared in force—

throughout British India, except as regards the Scheduled Districts	Act15,1874,s.3.
in the Santhál Parganas	Reg.3,1872,s.3(am.Reg.3, 1886).
in the Arakan Hill District	Reg.9,1874,s.3.
in Upper Burma generally (except the Shan States)	Act20,1886,s.6.
in British Baluchistan	Reg.1,1890,s.3.
in Angul and the Khondmals	Reg.1,1894,s.3.

Act 3, 1858, declared in force—

throughout British India, except as regards the Scheduled Districts	Act15,1874,s.3.
in the Santhál Parganas	Reg.3,1872,s.3(am.Reg.3, 1886).
in the Arakan Hill District (ss. 2 and 5)	Reg.9,1874,s.3.
in Upper Burma generally, except the Shan States (s. 5)	Act20,1886,s.6.
in British Baluchistan (s. 5)	Reg.1,1890,s.3.
in Angul and the Khondmals	Reg.1,1894,s.3.

Ben. Reg. 3, 1818, declared in force [1]—

throughout Bengal and the North-Western Provinces, except as regards the Scheduled Districts	Act15,1874 ss.6,7.
in the Santhál Parganas	Reg.3,1872,s.3(am.Reg.3, 1886).
in Angul and the Khondmals	Reg.1,1894,s.3.
in Lower Burma	Act11,1889,s.99.
in Upper Burma generally (except the Shan States)	Act20,1886,
in the Arakan Hill District	Reg.9,1874,
in Kachin Hill-tracts, as regards hill-tribes	Reg.1,1895,
in certain tracts in the Chin Hills	Reg.5,1896
in the Punjab	Act4,1872,
in the Central Provinces	Act20,1875,s.3.
in Oudh (with modifications)	Act18,1876,s.3.
in Ajmere	Reg.3,1877,s.3.
in British Baluchistan	Reg.1,1890,s.3.
Bom. Reg. 25, 1827, declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts	Act15,1874,s.5.
Mad. Reg. 2, 1819, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts	,, s.4.
Ben. Reg. 3, 1818, Bom. Reg. 25, 1827, and Mad. Reg. 2, 1819, declared in force, respectively, in Calcutta, Bombay and Madras cities	Act3,1858,s.2.

[1] Ben. Reg. 3, 1818, has also been declared in force in the greater part of Assam, and in Coorg, by notification under the Scheduled Districts Act, 1874.

STATE PRISONER—*cont.*

Power to issue warrant for confinement of person for reasons of State without judicial trial - - - - - - Ben.Reg.3,1818,s.2(*1*). Bom.Reg.25,1827,s.1(*1*) [pt.rep.Act 3,1858]. Mad.Reg.2,1819,s.2(*1*).

Commitments by agents in Ganjam and Vizagapatam under Mad. Reg. 2, 1819 - - - - - - - - Act24,1839,s.7.

Warrant, form of - - - - - - - - Ben.Reg.3,1818,s.2(*2*). Bom.Reg.25,1827,s.1(*2*), App.A. Mad.Reg 2,1819,s.2(*2*), App.

„ direction of - - - - - - - - Act34,1850,s.1. Act5,1871,s.15.

„ authority of - - - - - - - - Act34,1850,s.1. Ben.Reg.3,1818,s.2(*2*) [pt.rep.inO.,Act18, 1876,Sch.II]. Bom.Reg.25,1827,s.1(*2*). Mad.Reg.2,1819,s.2(*3*).

„ Ben. Reg. 3, 1818, applied to Sheriffs, etc., authorised by Act 34, 1850, to act on - - - - - - Act34,1850,s.2.

Report to Government at beginning of confinement, as to effect of confinement on health of, and as to sufficiency of allowance for support of - - - - - - - - - Ben.Reg.3,1818,s.6. Bom.Reg.25,1827,s.5(*1*). Mad.Reg.2,1819,s.6.

Allowance for support of; fixing of, etc. - - - - - Bom.Reg.25,1827,s.2.

„ „ seeing to due appropriation of - - - Ben.Reg.3,1818,s.7. Mad.Reg.2,1819,s.7.

Periodical reports as to conduct, health and comfort of - - Ben.Reg.3,1818,s.3. Bom.Reg.25,1827,s.3. Mad.Reg.2,1819,s.3.

Visiting of, by public officials - - - - - - Ben.Reg.3,1818,s.4(am. inO.,Act18,1876, Sch.II). Bom.Reg.25,1827,s.4(*2*) (am.Bom.Act3, 1886,s.2).

Representations by, to be submitted to Government - - Ben.Reg.3,1818,s.5. Bom.Reg 25,1827,s.5(*2*). Mad.Reg.2,1819,s.5.

Powers of Governor General in Council under Act 34, 1850, conferred on Governments of Bombay and Madras - - - Act3,1858,s.3.

Power of Governor General in Council to remove State prisoner from one fortress, etc., to another - - - - - - „ s.5.

Penalty for harbouring, etc. - - - - - - - Act45,1860,ss.128to130.

High Courts' power to issue directions of nature of *habeas corpus* does not extend to - - - - - - - - Act10,1882,s.491.

Application of law as to, to persons confined under Act 20, 1859, or Act 23, 1867 (Murderous Outrages) - - - - - Act20,1859,s.6. Act23,1867,ss.12,13.

STATIONS.

Under Municipal Act in Assam. *See* MUNICIPALITY, IV, C.

STATUTE OF FRAUDS.[1] (*See* ASSIGNMENT, ETC.) - - - - 29C.2,c.3.

[1] This short title was given by 59 & 60 Vict. c. 14,

STEAM BOILERS AND PRIME-MOVERS ACT (BURMA), 1882 - -	Act 18, 1882.
„ „ „ „ „ „ 1885 - -	Act 1, 1885.
„ „ „ „ „ (MADRAS), 1893 - -	Mad. Act 3, 1893.

STEAM BOILERS AND PRIME-MOVERS.

1. Bengal.

Ben. Act 3, 1879, extends to town and suburbs of Calcutta and to Howrah, and may be extended to other places by notification - - - - - -	Ben. Act 3, 1879, section 1.	
„ „ „ does not apply to locomotive engines used on railway or to steam-vessels in port of Calcutta -		
Definitions - - - - - - - - -	„	s.3.
Appointment, etc., of Inspectors - - - - - -	„	s.4.
Owners of boilers or prime-movers having no certificate to give notice to Inspector - - - - - - -	„	s.5.
Grant of certificates; examination of boiler or prime-mover by Inspector - - - - - - - - -	„	ss.5 to 7, Sch.
Revocation or suspension of certificates - - - - -	„	s.8.
Appeal against refusal, revocation or suspension of certificate -	„	s.9.
Power of Inspector to enter premises - - - - -	„	s.10.
Penalties - - - - - - - - -	„	s.11.
Prosecutions: none before notified day; sanction required to; limitation of - - - - - - - - -	„	s.12.
Disposal of fines - - - - - - - - -	„	
Power of Local Government to make rules for working of Act -	„	s.

2. Bombay Presidency.

Bom. Act 2, 1891, extends to City of Bombay and certain other places; power to extend it elsewhere by notification - - - - - -	Bom. Act 2, 1891, s.1(2).	
„ „ „ not to apply to steam-vessels or railways or to boilers or prime-movers used for domestic purposes at atmospheric pressure - -	„	s.1(3).
„ „ „ does not apply to prime-movers till notified -	„	s.37(1).
Definitions - - - - - - - - -	„	s.3.
Inspectors; appointment, etc., of - - - - - -	„	s.4.
„ to be under control of Collector - - - -		
Appointment of Commissions for hearing of appeals and revocation of certificates - - - - - - - - -	„	s.5.
Owner of boiler not to use it unless it is certificated and is in charge of competent engineer, and not to work it at higher pressure than is allowed by such certificate - - - - - -	„	s.6.
Grant and renewal of certificates; examination of boiler by Inspector - - - - - - - - -	„	ss.8 to 10, Sch. A.
Duration of certificate - - - - - - -	„	s.10(3).
Appeal against refusal of certificate - - - - - -	„	ss.11 to 13.
Revocation of certificate - - - - - - -	„	s.14.
Production of certificate on demand - - - - -	„	s.18.
Transfer of certificate to new owner of boiler - - -	„	s.18(2).
Power of Inspector to enter premises and examine boiler and order working of boiler to be stopped - - - - - -	„	s.15.
Registration of boilers - - - - - - -	„	ss.7, 8.
Accidents to boiler; report of; order to discontinue use of boiler -	„	s.17.

STEAM BOILERS AND PRIME-MOVERS—*cont.*

2. Bombay Presidency—*cont.*

Owner to report alterations in boiler	Bom. Act 2, 1891,	s.16.
Engineers; examination of, and grant of certificates to	„	ss.19 to 23.
„ withdrawal and suspension of certificates of	„	s.24.
„ record of certificates granted to	„	s.25.
„ grant of duplicate certificates to	„	s.26.
„ not to be in charge of boilers unless certificated	„	s.27.
Penalties	„	ss.28(pt.rep. Act16,1895), 29to31.
„ certain, not to be enforced in certain places until date notified	„	s.34.
Magistrates by whom offences cognizable	„	s.32.
Prosecution; sanction required to; limitation of	„	s.33.
Power of Local Government to make rules for working of Act	„	s.35,Sch.B.
Disposal of fees, costs and fines	„	s.36.
"Boiler" to include "prime-mover," when Act applied to prime-movers by notification	„	s.37(2).

3. Lower Burma.

ct 18, 1882, extends to towns of Akyab, Bassein, Moulmein and angoon, and may be extended by notification to other areas	Act 18, 1882, section	1(3).
er to define local limits of said towns	„	s.17.
efinitions	„	s.2.
Appointment, etc., of Inspectors	„	s.3.
Power to make rules as to examination of, and grant of certificates to, engineers and engine-drivers	„	s.4(am.Act1, 1885,s.2).
Use of boiler or prime-mover without license, after notified date, prohibited	„	s.5(1).
Grant of licenses; examination by Inspector of boiler or prime-mover	„	ss.5(2),6to9 [ss.5(2),8am. Act1,1885, s.3],Schs.I toIII.
Duration of license	„	s.10.
Revocation and suspension of licenses	„	s.11(am.Act1, 1885,s.5).
Appeal against refusal, revocation or suspension of license	„	s.12.
Power of Inspector to enter premises	„	s.13.
Penalties	„	ss.14,15.
Prosecutions: sanction required to; limitation of	„	s.16.
General power of Local Government to make rules for working of Act	„	s.18.

4. Madras Presidency.

Mad. Act 3, 1893, extends to City of Madras and may be extended by notification to other areas	Mad.Act3,1893,	s.1(3).
„ „ „ does not apply to steam-vessels or railways or to boilers used for domestic purposes at atmospheric pressure	„	s.1(4).
„ „ „ does not apply to prime-movers till notified	„	s.24(1).
Definitions	„	s.2.

STEAM BOILERS AND PRIME-MOVERS—*cont.*

4. Madras Presidency—*cont.*

Appointment, etc., of Inspectors	Mad.Act3,1893,	section 3.
Power to direct that boiler shall not be used unless in charge of person holding certificate under Act	,,	s.14.
Grant of such certificates	,,	ss.15to18.
Cancellation or suspension of such certificates	,,	s.19.
Power to grant duplicate certificate	,,	s 20.
Use of boiler without license, after notified date, prohibited	,,	s.4.
Grant of licenses; examination of boiler by Inspector	,,	ss.5to8, Sch.A.
Duration of license	,,	s.7.
Production of license on demand	,,	s.10.
Transfer of license to new owner of boiler	,,	s.10(2).
Revocation and suspension of *licenses*	,,	s.11.
Appeal against refusal, revocation or suspension of *license*	,,	s.12.
Registration of licensed boilers	,,	s.9.
Power of Inspector to enter premises	,,	s.13.
Penalties	,,	s.
Limitation of prosecutions	,,	s.
Power of Local Government to make rules for working of Act	,,	s.2
"Boiler" to include "prime-mover," when Act applied to prime-movers by notification	,,	s.24

STEAM-SHIPS ACT (INDIAN), 1884. (*See* MERCHANT SHIPPING) - Act7,188

STOLEN PROPERTY.

Punishment for receiving, etc. *See* CRIMINAL LAW (INDIAN), 15.

Penalty for being found in possession of	(Bo.Town)Act13,1856,s.35. (Howrah)Act21,1857,ss.1, 2. (M.City)Mad.Act3,1888,s. 65.
Power of police to search for	(Bo. Town)Act13,1856,ss. 93(pt.rep.Act4,1877),94. (Cal.)Ben.Act4,1866,ss.79 (pt.rep.Act4,1877),80.
,, ,, to seize	(Cal.)Ben.Act4,1866,s.81.
Power of headman of village to search for and seize	Mad.Reg.11,1816,s.11(*1*).

Recovery of, through pawnbroker, etc. *See* POLICE, I, D, 3; E, 3; G, 3; J, 2.

Restoration of, to owner. *See* CRIMINAL PROCEDURE, 12 (3).

See also FUGITIVE OFFENDER (*c*).

STONE.

Mirzapur District:

Definitions	Act5,1886,s.3,Sch.	
Government entitled to levy duty on all stone quarried	,,	s.4.
Proprietors of land not to impose prohibition or restriction or receive duty, etc., in respect of quarrying, etc.	,,	s.5.
Right of public to quarry stone and transport stone, subject to rules; decision of disputes by Collector; bar to jurisdiction of Civil Courts	,,	s.6.

STONE—*cont.*
Mirzapur District—cont.:
Power of Local Government to make rules as to quarrying, duty, etc.; penalty for breach of rule - - - - - Act5,1886,ss.7,8.
Postponement of operation of rule altering duty - - „ s.10.
Penalty for evasion of duty; burden of proof; limitation of prosecutions - - - - - - - „ ss.11to13.
Prosecutions under other laws not barred, but only one punishment allowed - - - - - - - „ s.14.
Powers of arrest, seizure and search - - - - „ ss.15,16.
Recovery of duty - - - - - - - „ s.17.
Exemption of inhabitants of hills from payment of duty - „ s.20.
Appeal from and revision of orders and decisions under Act - „ s.18.
See also MINES AND MINERALS; PRECIOUS STONES.

STOWAWAY. *See* MERCHANT SHIPPING, 2 (*g*).

STRAITS SETTLEMENTS ACT, 1866[1] - - - - - 29-30V.c.115.

STRAITS SETTLEMENTS.
Separation of, from India - - - - - - - 29-30V.c.115.

STREET.
Definitions of. *See* WORDS AND PHRASES.
Regulation of, in municipalities:
Aj., L. B., C. P. *See* MUNICIPALITY, II, 6 (*a*), (*p*).
U. B. „ „ III, 6.
As. „ „ IV, 6 (*a*); V, 6 (*a*).
Ben. Districts. „ „ V, 6 (*a*).
Cal. „ „ VI, 6 (*a*).
Bom. Districts. „ „ VII, 6 (*a*).
„ City. „ „ VIII, 6 (*a*), (*f*), (*i*).
Coorg & N.-W. P. „ „ IX, 6.
N.-W. P. & Oudh. „ „ X, 6 (*a*).
Mad. Districts. „ „ XII, 6 (*a*).
„ City. „ „ XIII, 6 (*a*).
Punjab. „ „ XIV, 6 (*a*).
See also ROAD.

SUB-AGENT. *See* AGENCY.

SUBMARINE TELEGRAPH ACT, 1885 - - - - - [2]48-9V.c.49.
„ „ „ 1886 - - - - - [2]50V.c.3.

SUBMARINE TELEGRAPH.
Confirmation of International convention for protection of submarine cables - - - - - - - 48-9V.c.49,s.2,Sch.
Declaration as to interpretation of convention - - - 50V.c.3.
Penalty on breaking or injuring submarine cables - - - 48-9V.c.49,section3.
Lights and signals for vessels laying cables, etc. - - - „ s.5.
Powers of officers; procedure; evidence - - - - „ ss.6to8.
Liability of masters of vessels - - - - - „ s.9.
Extent, commencement, and duration of Act - - - „ ss.11,13.

SUB-SETTLEMENT ACT (OUDH), 1866. (*See* LAND-REVENUE, XVI, 3). Act26,1866.

SUCCESSION ACT (INDIAN), 1865. (*See* SUCCESSION) - - - Act10,1865.

SUCCESSION CERTIFICATE ACT, 1889. (*See* SUCCESSION) - - Act7,1889.

[1] This short title was given by 59 & 60 Vict. c. 14.
[2] Collective title ("Submarine Telegraphs Acts, 1885 and 1886") given by 59 & 60 Vict. c. 14.

SUCCESSION TO THE CROWN ACT, 1707.[1] [*See* CRIMINAL LAW AND PROCEDURE (ENGLISH); PRIVY COUNCIL] - - - - 6A.c.41.

SUCCESSION.

1677. 29 C. 2, c. 3, ss. 7 to 9.[2]
1793. Ben. Reg. 11
1795. Ben. Reg. 44
1800. Ben. Reg. 10
1805. Ben. Reg. 12, s. 36
(Wills and Intestacies of Natives).
1829. Mad. Reg. 5, s. 4 (Wills of Hindus).
1838. Act 25 (Wills between 1839 and 1866; English Law).
1839. Act 30 (Descents between 1840 and 1866; English Law).
1861. 24-5 V. c. 114 (Probate in United kingdom; Domicile).
1865. Act 10, ss. 3 to 178, 331, 332 (Succession).
„ Act 21 (Intestate Succession, Parsis).
1866. Act 27, s. 29 (Descents between 1840 and 1866; English Law).
1868. Act 8 (Repeal).
1870. Act 21 (Wills of Hindus, etc.).
1872. Reg. 3, s. 3 (Laws, Santhál Parganas).
1874. Act 3, s. 2 (Married Women's Property).
„ Act 15, ss. 3, 4, 6 (Laws Local Extent).
„ Reg. 9, s. 3 (Laws, Arakan Hills).
1877. Act 3, ss. 40 to 46 (Registration and deposit of wills).
1886. Act 20, s. 6 (Laws, Upper Burma).
1890. Reg. 1, s. 3 (Laws, British Baluchistan).
1896. Mad. Act 4, ss. 1, 23, 24 (Intestacy: Hindus, Madras).

1. Preliminary.
2. Domicile.
3. Consanguinity.
4. Effect of Marriage.
5. Intestacy.
6. Wills.
7. Gifts in contemplation of Death.
8. Special and Local.
9. Miscellaneous.

1. Preliminary.

Acts 25, 1838 (Wills), and 30, 1839 (Inheritance), declared *in force* throughout British India, except as regards the Scheduled Districts - Act 15, 1874, s. 3.

Act 10, 1865 (Indian Succession Act)—
- applies to whole of British India - - - - - Act 10, 1865, s. 2.
- declared in force in—
  - the Santhál Parganas - - - - - - Reg. 3, 1872, s. 3 (am. Reg. 3, 1886).
  - the Arakan Hill District (but not so as to affect Native Christians) - - - - - - - Reg. 9, 1874, s. 3.
  - Upper Burma generally (except the Shan States) - - Act 20, 1886, s. 6.
  - British Baluchistan - - - - - - - Reg. 1, 1890, s. 3.

Act 21, 1865 (Intestate Succession, Pársís), declared in force—
- throughout British India, except as regards the Scheduled Districts - - - - - - - - Act 15, 1874, s. 3.
- in the Arakan Hill District - - - - - Reg. 9, 1874, s. 3.

Act 21, 1870 (Hindu Wills Act)—
- applies to Bengal and the towns of Madras and Bombay - Act 21, 1870, preamble.
- declared in force in the Santhál Parganas - - Reg. 3, 1872, s. 3 (am. Reg. 3, 1886).

Ben. Reg. 11, 1793 (Inheritance), declared in force throughout Bengal, except as regards the Scheduled Districts - - - - - Act 15, 1874, s. 6.

Mad. Reg. 5, 1829 (Hindu Wills), declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts - „ s. 4.

Act 10, 1865, does not apply to wills made or intestacies occurring before 1st January, 1866 - - - - - - - Act 10, 1865, s. 331.

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[1] This short title was given by 59 & 60 Vict. c. 14.
[2] These sections are indexed because they are published in the Collection of Statutes relating to India.

SUCCESSION—*cont.*

1. Preliminary—*cont.*

General definitions - - - - - - - - Act 10, 1865, s. 3 (am. Act 13, 1875, s. 1).

2. Domicile.

Succession to immoveables in British India regulated by law of British India; succession to moveables regulated by law of country of domicile - - - - - - - -

SUCCESSION—*cont.*

6. Wills—*cont.*

Registration of — Act 3, 1877, ss. 40, 41.
Deposit of, with Registrar of Documents — „ ss. 42, 43.
Withdrawal by testator of will so deposited — „ s. 44.
Procedure of Registrar on death of depositor — „ s. 45.
Act 3, 1877, not to affect Act 10, 1865, s. 259, or power of Court to compel production of will; Registrar's procedure when Court orders production of will — „ s. 46.
Declaration and assignment of trusts created by — 29 C. 2, c. 3, ss. 7 to 9 [1] (rep. locally Act 2, 1882).
Will of personalty by British subject; admission of, to probate, etc., in United Kingdom — 24-5 V. c. 114.
Avoidance, revocation, alteration, attestation and revival of — Act 10, 1865, ss. 48, 49, 54 to 60.
Construction of — „ ss. 61 to 98.
What bequests are void — „ ss. 99 to 105, 113, 114.
Vesting of legacies — „ ss. 106 to 108.
Onerous bequests — „ ss. 109 to 110.
Contingent bequests — „ ss. 111 to 112.
Conditional bequests — „ ss. 113 to 124.
Bequests with directions as to application or enjoyment — „ ss. 125 to 127.
Bequest to executor — „ s. 128.
Specific legacies — „ ss. 129 to 136.
Demonstrative legacies — „ ss. 137, 138.
Ademption of legacies — „ ss. 139 to 153.
Payment of liabilities in respect of the subject of a bequest — „ ss. 154 to 157.
Bequest of thing described in general terms; executor's duty to purchase thing to answer description — „ s. 158.
Bequest of the interest or produce of a fund — „ s. 159.
Bequest of annuity — „ ss. 160 to 163.
Legacies to creditors and portioners — „ ss. 164 to 166.
Election in case of bequests — „ ss. 167 to 177.

7. Gifts in contemplation of Death.

Provisions as to — „ s. 178.

8. Special and Local.

(*a*) *Cases governed by English Law.*

Provisions as to wills of persons whose personal property cannot, by the law of England, pass to their representatives without probate or letters of administration obtained in one of Her Majesty's Supreme Courts of Judicature — Act 25, 1838, ss. 1 to 29, 31.
Act 25, 1838, not to extend to any will made before 1st February, 1839 — „ s. 31.
„ „ repealed, except as to wills made before 1st January, 1860 — Act 8, 1868.
Provisions as to descents taking place on death of persons dying on or after 1st July, 1840 — Act 30, 1839, ss. 1 to 11.

[1] These sections are indexed because they are published in the Collection of Statutes relating to India.

8. Special a

(a) Cases governed by English Law

Saving of limitations made before 1st July, 1840, person then living	
Act 30, 1839, not to affect inheritances of land which are to the English law of inheritance	
Descent how traced on failure of heirs of purchaser, etc., in intestacy occurring before 1st January, 1866	
Act 30, 1839, repealed, except as to intestacies occurring before 1st January, 1866	

(b) Pársis.

Ss. 20 to 24 and 26 to 43 of Act 10, 1865, not to apply to	A
Special provisions as to intestate succession among	

(c) Hindus, Muhammadans, etc.

Wh proprietor of land dies intestate leaving heirs, they to succeed to e shares to which they are entitled under Hindu or Muhammadan law	[1](As.&Ben.)Be 11,179 (Benares)Ben.Reg. 1795,s.2.
Right of such heirs to hold their shares as a joint undivided estate or to make partition; assessment of Government revenue on partition being made	[1](As.&Ben.)Ben.Reg. 11,1793,ss.3(am. Act12,1891),4. (Benares)Ben.Reg.44, 1795,ss.3,4.
Right of Hindu or Muhammadan proprietor to bequeath land to one or more persons to the exclusion of others	[1](As.&Ben.)Ben.Reg. 11,1793,s.5. (Benares)Ben.Reg.44, 1795,s.6.
Ben. Reg. 11, 1793, not to affect established usage in certain districts under which land devolves on intestacy to a single heir	[2](As.&Ben.)Ben.Reg. 10,1800. (Ben.)Ben.Reg.12,1805, s.36.
Ben. Reg. 44, 1795, not to affect past successions by single heir	(Benares)Ben.Reg.44, 1795,s.5.
Wills of Hindus to have no legal force unless in conformity with Hindu law	Mad.Reg.5,1829,s.4.
Succession to separate property of intestate Hindu domiciled in Madras Presidency, and following the Marumakkatayam or the Aliyasantana Law of Inheritance	Mad.Act4,1896,ss.1,23,24.
Act 10, 1865, does not apply *proprio vigore* in case of Hindus, Muhammadans or Buddhists	Act10,1865,s.331.
Power to exempt race, sect or tribe from operation of Act 10, 1865	„ s.332.
Ss. 46, 48 to 51, 55, 57 to 77, 82, 83, 85, 88 to 103 and 106 to 177 of Act 10, 1865, applied to certain wills of Hindus, Jainas, Sikhs and Buddhists	Act21,1870,s.2.

[1] Ben. Reg. 11, 1793, has been declared, by notification under the Scheduled Districts Act, 1874, to be in force in the districts of Sylhet and Goalpara (excluding the Eastern Dvárs).

[2] Ben. Reg. 10, 1800, has been declared, by notification under the Scheduled Districts Act, 1874, to be in force in the district of Goalpara (excluding the Eastern Dvárs).

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SURVEY AND SETTLEMENT ACT (BOMBAY). (S
ANT, IV, 2; LAND-REVENUE, VII, B) -

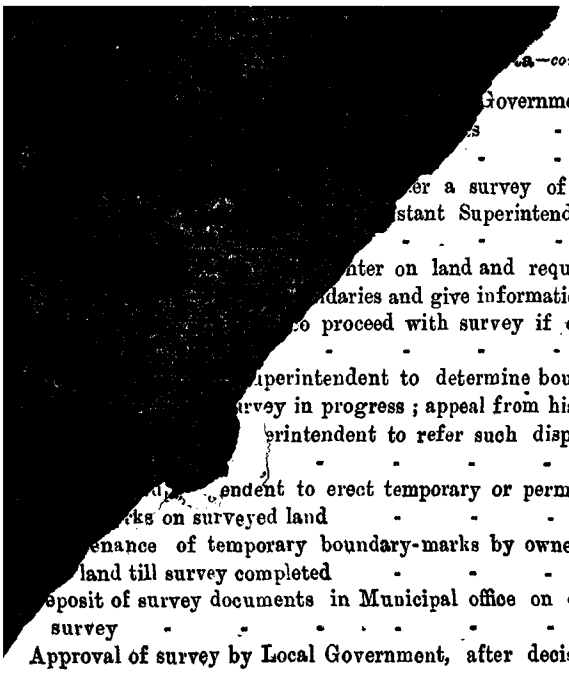
SURVEY OF LAND.

1. Bengal ge

Ben. Act 5, 1875, extends to whole of Bengal -		
„ „ „ declared in force in Angul and the K		
Definitions - - - - - - -		
Power of Local Government to order survey of lands and dem of boundaries of estates, etc., therein; new survey under Act 9, not to be made till 10 years after previous survey - -		
Power to direct new survey of riparian lands - - -		
Power to appoint Superintendent of survey and subordinate officers; their powers; power to direct Collector to perform duties under Act - - - - - - - -		
Power to require attendance and aid of interested persons in pointing out boundaries, clearing boundary line, etc.; payments to be made for labour, etc. - - - - - -		
Signature of maps and papers showing boundary as defined; invitation and disposal of objections to boundary - - -	„	S
Erection and maintenance of temporary and permanent boundary-marks—		
at cost of occupants of land - - - - - -	„	ss.14to18,20, 56.
by occupant of land - - - - - - -	„	s.21.
Zemindars, etc., bound to preserve boundary-marks and give notice of injury, etc. - - - - - - -	„	s.19.
Apportionment and recovery of expenses incurred in respect of boundary-marks - - - - - - -	„	ss.22to39.
Power to determine boundary and erect boundary-marks in case of dispute while survey is in progress- - - - -	„	ss.40to46.
Power to take possession of land pending settlement of dispute -	„	s.42.
Power to refer dispute to arbitration - - - - -	„	s.43.
Joint and several liability of joint zamindars or tenure-holders in respect of liabilities imposed by Act; recovery by co-sharer of sums paid by him for other co-sharers - - - - -	„	s.47.
Service of notices - - - - - - - -	„	s.48.
Mere irregularities not to invalidate proceedings - - -	„	s.49.
Power to enforce attendance of witnesses, etc. - - -	„	s.50.
„ impose daily fine for non-compliance with requisition -	„	s.51.
Penalty for not giving notice of injury to boundary-mark - -	„	s.52.
„ removing, etc., boundary-mark - - - -	„	s.53.
Rewards to informers - - - - - - -	„	s.54.
Recovery of fines - - - - - - - -	„	s.55.
„ other sums due to Government - - - -	„	s.57(pt.rep. Ben.Act7, 1880,s.3).
Supervision and control by higher officers; appeals from orders -	„	ss.58to61.
Suit to set aside order barred unless appeal first brought under Act; exception in case of incapacitated persons - - - -	„	s.62.
Power of Board of Revenue to make rules for working of Act -	„	s.63.

2. Calcutta.

Ben. Act 1, 1887, extends to Town of Calcutta - - -	Ben.Actl,1887,s.l.



...a—*cont.*

...overnment to suburbs ...	Ben. Act 1, 1887,	section 27.
...	„	s. 2.
...er a survey of lands and to ... stant Superintendents of sur- ...	„	s. 3.
...nter on land and require attendance ... daries and give information ...	„	ss. 4, 5.
...o proceed with survey if owner does not ...	„	s. 6.
...perintendent to determine boundary in case ... rvey in progress; appeal from his order ...	„	ss. 7 to 11.
...erintendent to refer such dispute to arbi- ...	„	ss. 12 to 17.
...endent to erect temporary or permanent bound- ...rks on surveyed land ...	„	s. 18.
...enance of temporary boundary-marks by owner or occupier ... land till survey completed ...	„	s. 19.
...eposit of survey documents in Municipal office on completion of survey ...	„	s. 20.
Approval of survey by Local Government, after decision of objections ...	„	ss. 20, 21.
Limitation of suits to set aside demarcation of boundaries ...	„	s. 22.
Power of Local Government to make rules for working of Act ...	„	s. 23.
Service of notices ...	„	s. 24.
Penalty for failure to comply with requisition ...	„	s. 25.
Mere irregularities not to invalidate proceedings ...	„	s. 26.

3. Other Provinces.

Assam.	*See* LAND-REVENUE,	III, A, 3 (*b*).	
Bombay Presidency.	*See* LAND-REVENUE,	VII, A, 4; *B*; C.	
„ City.	„	„	VIII, 4.
Central Provinces.	„	„	XI, 3 (*a*), (*b*).
Coorg.	„	„	XII, 4.
N.-W. Provinces.	„	„	XV, 3, 4 (*c*).
Oudh.	„	„	XVI, 3, 4 (*c*).
Punjab.	„	„	XVII, 4 (*d*).

SURVEYORS OF SHIPS. *See* MERCHANT SHIPPING, 11 (*c*).

SYLHET ACT, 1874.[1] (*See* ASSAM) ...	Act 12, 1874.
TAJ MAHALS' PENSION ACT, 1881 ...	Act 1, 1881.
TALUQDARS ACT (GUJARAT), 1888. (*See* LAND-REVENUE, VII, C) ...	Bom. Act 6, 1888.
TALUQDARS RELIEF ACT (OUDH). (*See* INCUMBERED ESTATES, V) ...	Act 24, 1870.
TALUQDARS RELIEF REGULATION (AJMERE), 1872.[2] (*See* INCUMBERED ESTATES, I) ...	Reg. 4, 1872.

TALUQDARS IN AHMADABAD. *See* INCUMBERED ESTATES, II.

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[1] This short title was given by Act 5, 1897, s. 4.
[2] This short title was given by Notification No. 13, dated 11th October 1875, in *Gazette of India*, 1875, Pt. I, p. 529.

TALUQDARS AND GRANTEES, OUDH.

Definitions	(O.)Act1,1869,s.2(am.Act 10,1885).	
Lists of; preparation, publication and amendment of	,,	ss.8,9.
,, judicial notice to be taken of	,,	s.10.
To have permanent, heritable and transferable rights in their estates; saving as to certain redemption suits	,,	ss.3to6,Schs. I,II.
Power of, to secure devolution of heirlooms along with estate	,,	s.7.
Transfers and bequests of estate of, or interest therein:		
Power to make	,,	s.11.
Rule against perpetuity	,,	s.12.
Restrictions as to donees and legatees	,,	s.13.
Rights and powers of transferee—		
in line of succession	,,	s.14.
out of line of succession	,,	s.15
Transfers to be written and attested	,,	s.16.
Requisites to validity of gift *inter vivos*	,,	s.17.
,, ,, gift or bequest to religious or charitable use	,,	ss.17,18,20.
Ss. 49 to 51, 54, 55, 57 to 77, 82, 83, 85, 88 to 98 of Indian Succession Act (10 of 1865) applied to wills of	,,	s.19.
Will not revoked by marriage		
Intestate succession to estate and property of: special rules for; power to revert to ordinary rules	,,	ss.21to23,30, 31.
Maintenance; right of surviving relatives of last holder of estate to maintenance out of estate	,,	ss.24to28.
,, and compensation; enforcement of certain awards as to	,,	s.33.
Muhammadan; right of adoption conferred on	,,	s.29.
Act not to affect rights of creditors	,,	s.32.

See also INCUMBERED ESTATES, V.

TALUQDARS, THAKURS AND JAGIRDARS, AJMERE.

Hearing of suits involving questions regarding succession to estates of	Reg.1,1877,ss.34to37,

See also INCUMBERED ESTATES, I.

TARIFF ACT (INDIAN), 1882.	Act11,1882.
,, ,, ,, 1894. (*See* CUSTOMS)	Act8,1894

TAXES.

No taxes to be levied without consent of Parliament. (*See also* BENEVOLENCE)	3C.1,c.1. 1W.&M.sess.2,c.2. [1]
Acts 20, 1839, and 19, 1844, declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts	Act15,1874,s.5.
Power of Local Government to prohibit levy of haqqs, fees and customs by private individuals, and collection of alienated shares of revenue after abolition or relinquishment thereof by Government	(Bom.)Act20,1839,s.1.
Such orders of prohibition not to be questioned in Court	,, ,, s.2.
Punishment for levying or collecting such haqqs, etc., after prohibition	,, ,, s.3(am.Act 4,1894).

[1] These Acts are indexed because they are published in the Collection of Statutes relating to India.

TAXES—*cont.*

Abolition of town-duties, kasab veras, muhtarafas, balutch taxes and cesses of every kind on trades or professions not forming part of the land-revenue - - - - - - - (Bom.) Act 19, 1844.

Bom. Act 1, 1883, to apply only in notified areas - - - Bom. Act 1, 1883, s. 2.

Power to impose tax on vehicles and animals for construction and maintenance of roads; recovery of tax; application of proceeds „ ss. 3, 4, 6.

Such tax not to be levied in municipality or cantonment where there is a similar tax; contributions from funds of such places for objects of Act - - - - - - - - - s. 5.

Exemptions from tax - - - - - - - - - „ s. 8.

Power to impose hoe tax or house tax in lieu of land-revenue (As. Reg. 1, 1886, s. 47.

In cantonments. *See* CANTONMENT, 3.

At fairs. *See* OUDH, 6.

In areas subject to Local Self-government Boards:

Ajmere. *See* LOCAL SELF-GOVERNMENT, II, 5.
C. P. „ „ „ V, 5.
Mad. „ „ „ VI, 5.
Punjab. „ „ „ VIII, 5.

In municipalities:

Aj., L. B., C. P. *See* MUNICIPALITY, II, 3.
U. B. „ „ III, 3.
As. „ „ IV, 3; V, 3.
Ben. Districts. „ „ V, 3.
Cal. „ „ VI, 3.
Bom. Districts. „ „ VII, 3.
„ City. „ „ VIII, 3.
Coorg and N.-W. P. „ „ IX, 3.
N.-W. P. and Oudh. „ „ X, 3; XI, 2.
Mad. Districts. „ „ XII, 3.
„ City. „ „ XIII, 3.
Punjab. „ „ XIV, A, 3; B.

In Municipal Station, Assam. *See* MUNICIPALITY, IV, C.

In Municipal Union, Assam. „ „ IV, B.

In Upper Burma Hills. *See* CHIN HILLS, 6; KACHIN HILLS, 6.

Port dues, fees and charges. *See* PORT, I, 5; II.

Leviable by Port Commissioners or Trustees:

Aden. *See* PORT COMMISSIONERS, II, 4.
Bombay. „ „ „ III, 4.
Calcutta. „ „ „ IV, 4.
Chittagong. „ „ „ V, 4.
Karachi. „ „ „ VI, 4.
Madras. „ „ „ VII, 4.
Rangoon. „ „ „ VIII, 4.

For maintenance of Chaukidars. *See* POLICE, II, A, 3, 4; B, 3; PUNJAB, 4.

For drainage. *See* DRAINAGE, I, C, 3; III.

House tax, Lower Burma. *See* LOCAL RATES AND CESSES, D.

Patwari rates. *See* PATWARIS, I, III.

Salt duty. *See* SALT, I.

Shop or office tax, Sindh. *See* LOCAL RATES AND CESSES, C.

Toungya tax. *See* LAND-REVENUE, IX, 2.

Water-rates. *See* IRRIGATION, I; II; III, 4; IV, 4; V, 4; VI.

TAXES—*cont.*
See also CAPITATION TAX; COURT-FEES; CUSTOMS (INLAND); CUSTOMS, SEA, 1, 2 (*a*); EXCISE; FIRE, 3; FOREST, 5; INCOME TAX; LOCAL RATES AND CESSES; OPIUM, I; PANDHARI TAX; STAMPS; STONE; THATHAMEDA TAX; TOBACCO; TOLLS; TRIBUTE; VILLAGE, E, 2.

TELEGRAPH ACT (INDIAN), 1885 - - - - - Act13,1885.

TELEGRAPH.

1. Preliminary.

Act 13, 1885, extends to whole of British India and, as regards British subjects, to Native States - - - Act13,1885,s.1.
„ „ declared in force in—
the Santhál Parganas - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
Upper Burma generally (except the Shan States) - Act20,1886,s.6.
British Baluchistan - - - - Reg.1,1890,s.3.
Definitions - - - - - - - - - Act 13, 1885, section3.

2. Working.

Exclusive privilege of Governor General in Council of establishing and working; his power to grant and revoke license for those purposes - - - - - - - - „ ss.4,8.
Power of Government, on emergency, to take possession of licensed telegraph or intercept messages - - - - - „ s.5.
Production in criminal proceedings of telegrams in custody of Telegraph Authorities - - - - - - Act10,1882,s.95.
Establishment and maintenance of, by Government, on railway - Act 13, 1885, section6.
On railway. *See* RAILWAY, 6 (*a*).
Power of Government to make rules for conduct of - - - „ s.7.
Limitation of responsibility for loss or damage caused by telegraph officer - - - - - - - - „ s.9.
Placing and maintaining lines and posts:
General powers for - - - - - - - „ ss.10,11,18.
Special powers and procedure where property affected is under control of Local Authority - „ ss.12to15.
„ „ „ „ in other cases - - „ [ss.16,17,34(ad. Act11,1888).
Protection of lines from injury by use of electricity - - Act13,1887,s.4. Ben.Act9,1895,s.24.
Offences and penalties - - - - - - Act13,1885,ss.20to32.
Offences, wherever committed, may be tried in Presidency-town - Act10,1882,s.184.
Power to employ additional police where mischief to telegraph repeatedly committed; recovery of cost from inhabitants - Act13,1885,section33.
Modification of Act in its application to Presidency-towns and Rangoon - - - - - - - - „ s.34(ad.Act 11,1888).
See also RED SEA AND INDIA TELEGRAPH COMPANY; SUBMARINE TELEGRAPH.

TEMPLE FUNDS MANAGEMENT REGULATION (COORG), 1892. (*See* ENDOWMENT, 2) - - - - - - - Reg.4,1892.

TENANCY ACT (BENGAL), 1885.	(*See* LANDLORD AND TENANT)	Act 8, 1885.
„ „ (CENTRAL PROVINCES), 1883.		Act 9, 1883.
„ „ („ „), 1889.		Act 17, 1889.
„ „ (PUNJAB), 1887.		Act 16, 1887.
„ REGULATION (HAZARA), 1887.		Reg. 13, 1887.

TENANT.

Definition of "tenancy," "tenant," "tenure," etc. *See* WORDS AND PHRASES.

See also LANDLORD AND TENANT.

TENURES ACT (CHOTA NAGPUR), 1869. (*See* LANDLORD AND TENANT)	Ben. Act 2, 1869.
TERMINALS. *See* RAILWAY, 5 (*b*).	
TERRITORIAL WATERS JURISDICTION ACT, 1878	41-2 V. c. 73.
TERRITORIAL WATERS.	
Trial of offence committed within territorial waters of Her Majesty's dominions, though committed on or by means of foreign ship; saving as to trial of pirates; definition of territorial waters, etc.	41-2 V. c. 73.

See also FAIRWAYS; SALT, VI.

THAKURS.

Ajmere. *See* TALUQDARS, THAKURS AND JAGIRDARS.

Broach and Kaira. *See* INCUMBERED ESTATES, III.

THATHAMEDA TAX, UPPER BURMA.		
Levy and assessment of	Reg. 3, 1889,	section 22.
Adjustment of, or exemption from, when land-revenue payable	„	s. 27 (1).
Recovery of	„	ss. 37 to 46.
Bar to jurisdiction of Civil Courts in matters relating to	„	s. 53.
THEFT. *See* COFFEE; CRIMINAL LAW (INDIAN), 15.		
THUG.		
Punishment for being	Act 45, 1860,	ss. 310, 311.

TI. *See* GAMING, 4.

TIMBER. *See* FOREST.

TIME. *See* LIMITATION OF TIME.

TOBACCO, BOMBAY TOWN.		
"Town of Bombay" includes the Islands of Bombay and Colaba	Act 4, 1857,	section 21.
Tobacco to be imported only by sea and landed only at places prescribed by Local Government	„	s. 7.
Municipal import duty; rate of	„	s. 2.
„ „ „ not payable on small quantities for importer's private consumption	„	s. 8.
„ „ „ when payable	„	ss. 3, 4.
„ „ „ to be remitted on re-exportation	„	s. 4.
„ „ „ powers for enforcing payment of	„	s. 6.
Warehousing	„	ss. 4, 5.
Pemit required for transport; exceptions	„	ss. 9, 10, Sch.
Licensing of retail sale	„	ss. 11 to 13.
Monthly returns of stock held by retail dealers	„	s. 14.
Record by retail dealers of tobacco received	„	s. 15.
Powers of search, seizure and arrest	„	ss. 16, 17.
Penalties for breach of Act	„	ss. 14, 15, 18.
Confiscation of tobacco, etc., when Act contravened	„	ss. 18, 20.
Any Presidency Magistrate to have jurisdiction under Act	„	s. 20.

TODÁ GIRAS ALLOWANCES ACT, 1887 - - - - Bom.Act7,1887.

TODA GIRÁS ALLOWANCES.

Definition of - - - - - - - Bom.Act7,1887,s.2.
To be held hereditarily in male descent - - - - „ s.3.
Restriction on alienation of - - - - - „ s.4.
„ attachment or sale of, in execution of decree - - „ s.5.
Act not to apply to certain allowances already alienated - - „ s.6.

TOKENS, METAL. *See* COINAGE, II, 3.

TOLLS ON ROADS AND BRIDGES ACT AMENDMENT ACT, 1881 - - Bom.Act5,1881.

TOLLS.

1851. Act 8 (Tolls on Roads and Bridges).
1864. Act 15 (Tolls on Roads and Bridges).
„ Ben. Act 5, ss. 5 to 10 (Canals).
1872. Reg. 3, s. 3 (Laws, Santhál Parganas).
1874. Reg. 9, s. 3 (Laws, Arakan Hill District).
1875. Act 20, s. 3 (Laws, Central Provinces).
„ Bom. Act 3 (Tolls on Roads and Bridges, Bombay Presidency).
1881. Act 2, ss. 4, 6 to 9, 21 (*c*) (Pegu and Sittang Canal).
1883. Bom. Act 1, s. 7 (Highways, Bombay).
1884. Bom. Act 1 (Local Boards, Bombay).
1886. Act 20, ss. 6, 7 (Laws, Upper Burma).
1888. Act 8 (Tolls on Roads and Bridges).
1889. Reg. 3, s. 85 (Land and Revenue, Upper Burma).
1892. Act 8 (Tolls on Lansdowne Bridge, etc.).

1. On Roads and Bridges.

Act 8, 1851, applies to Bengal, Coorg,[1] Madras Presidency, North-Western Provinces and Oudh [2] - - - } Act8,1851,s.2(pt.rep.Act 8,1888,s.5).
„ „ may be extended to other Provinces by Local Government - - - - - - } Act15,1864,s.3.
„ „ declared in force in—
the Santhál Parganas - - - - { Reg.3,1872,s.3(am.Reg.3 1886).
the Arakan Hill District - - - - Reg.9,1874,s.3.
the Central Provinces - - - - Act20,1875,s.3.
Upper Burma generally (except the Shan States) with a modification - - - - { Act20,1886,ss.6,7.
„ „ repealed in Bombay Presidency - - - Bom.Act3,1875,s.1.
Act 15, 1864; power to extend it to any place - - - Act15,1864,s.3.
„ „ declared in force in—
the Santhál Parganas - - - - { Reg.3,1872,s.3(am.Reg.3, 1886).
the Central Provinces - - - - Act20,1875,s.3.
Acts 8, 1851, and 15, 1864, declared in force in Punjab - - Act8,1888,s.1.
Act 8, 1892, extends to the whole of British India - - - Act8,1892,s.1.
Definition of "Local Government" - - - - { Act15,1864,s.4. Act8,1888,s.2(*1*).
Power of Local Government to impose tolls on roads or bridges made or repaired at Government expense - - - - { Act8,1851,s.2,Sch. Act15,1864,s.1,Sch. Bom.Act3,1875,s.3,Sch.
Exemptions from payment of tolls - - - - - { Act8,1851,s.4(am.U.B.,Act 20,1886,s.7). Bom.Act3,1875,s.5.

[1] Acts 8, 1851, and 15, 1864, have been extended to Coorg by notification under the Scheduled Districts Act, 1874
[2] Acts 8, 1851, and 15, 1864, have been extended to Oudh by notification.

TOLLS—*cont.*

1. On Roads and Bridges—*cont.*

Power to levy tolls on Lansdowne Bridge and other roads and bridges - - - - - - - - Act 8, 1892, ss. 2, 4.

Tolls not to be levied under Bom. Act 3, 1875, in areas subject to Bom. Act 1, 1883 (Highways) - - - - - Bom. Act 1, 1883, s. 7.

Toll Collectors:

Appointment, responsibilities and powers of - - - Act 8, 1851, ss. 2, 3. Bom. Act 3, 1875, ss. 3 (am. Bom. Act 1, 1884, s. 77), 4.

Police-officers to assist - - - - - - Act 8, 1851, s. 5. Bom. Act 3, 1875, s. 6.

Penalty for unauthorised levy of tolls, etc. - - - - Act 8, 1851, s. 6. Bom. Act 3, 1875, s. 7.

Exhibition of table of tolls, etc. - - - - - Act 8, 1851, s. 7. Bom. Act 3, 1875, s. 8.

Power to compound for tolls - - - - - - Act 15, 1864, s. 2. Bom. Act 3, 1875, s. 9.

„ lease levy of tolls; powers, etc., of lessee - - - Bom. Act 3, 1875, ss. 10, 11 (ins. Bom. Act 5, 1881, s. 2).

Application of proceeds of tolls - - - - - Act 8, 1851, s. 8 (am. Act 3, 1888, s. 2 (2)). Bom. Act 3, 1875, s. 12 (am. Bom. Act 5, 1881, s. 2; rep. locally, Bom. Act 1, 1884, s. 2). Bom. Act 1, 1884, s. 44 (*d*).

See also HOWRAH BRIDGE.

2. Miscellaneous.

On canals:

Bengal - - - - - - - - - Ben. Act 5, 1864, ss. 5 to 10.

Upper Burma - - - - - - - - Reg. 3, 1889, s. 85.

Pegu and Sittang Canal - - - - - - - Act 2, 1881, ss. 4, 6 to 9, 21 (*c*).

Madras. *See* CANAL, VI; MADRAS IRRIGATION AND CANAL COMPANY.

On ferries. *See* FERRY.

On Madras piers. *See* PORT, II, C.

On railway ferries, roads and bridges. *See* RAILWAY, 6 (*a*).

On rivers. *See* GANGES; KARATOYA RIVER.

On tramways. *See* TRAMWAY, 4 (*b*), 5; TRAMWAYS, A, 4 (*b*), 5.

In areas subject to Local Self-government Boards, Madras. *See* LOCAL SELF-GOVERNMENT, VI, 5.

In municipalities:

Aj., L. B., C. P. *See* MUNICIPALITY, II, 3.

As. „ „ IV, 3; V, 3.

Ben. Districts. „ „ V, 3.

Bom. „ „ „ VII, 3.

„ City. „ „ VIII, 3.

Mad. Districts. „ „ XII, 3.

„ City. „ „ XIII, 3.

TOLLS—*cont.*

2. Miscellaneous—*cont.*

In municipalities—*cont.*:

Punjab. *See* MUNICIPALITY, XIV, 3.

Leviable by Port Commissioners or Trustees:

Aden. *See* PORT COMMISSIONERS, II, 4.
Bombay. „ „ „ III, 4.
Calcutta. „ „ „ IV, 4.
Chittagong. „ „ „ V, 4.
Karachi. „ „ „ VI, 4.
Madras. „ „ „ VII, 4.
Rangoon. „ „ „ VIII, 4.

TORTS.

Act 12, 1855, declared in force—

throughout British India, except as regards the Scheduled Districts - - - - - - - - Act15,1874,s.3.
in the Santhál Parganas - - - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
in Upper Burma generally (except the Shan States) - - Act20,1886,s.6.
in Angul and the Khondmals - - - - - - Reg.1,1894,s.3.

Act 13, 1855, declared in force—

throughout British India, except as regards the Scheduled Districts - - - - - - - - Act15,1874,s.3.
in the Santhál Parganas - - - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
in the Arakan Hill District - - - - - Reg.9,1874,s.3.
in Upper Burma generally (except the Shan States) - - Act20,1886,s.6.
in Angul and the Khondmals - - - - - Reg.1,1894,s.3.

Action by or against executor, administrator or representative in respect of wrong done during life of deceased occasioning pecuniary loss to his estate - - - - - - - - Act12,1855(pt.rep.Act9, 1871).

Action for compensation for loss occasioned by death due to actionable wrong - - - - - - - - Act13,1855(pt.rep.Act 9, 1871).

TOUNGYA CULTIVATION. *See cross-references from* SHIFTING CULTIVATION, 3.

TOUTING. *See* LEGAL PRACTITIONER, 1.

TOWN NUISANCES ACT, 1889 - - - - - - Mad.Act3,1889.

TOWNS ACT (LOWER BURMA), 1892 - - - - - Act9,1892.

„ REGULATION (UPPER BURMA), 1891 - - - - Reg.6,1891.

TOWNS.

1. Lower Burma.

Act 9, 1892, not to be applied to cantonment without previous consent of Governor General in Council - - - - Act9,1892,section2.

Division of towns into wards and blocks, and appointment, etc., of headmen and elders - - - - - - „ s.3.

Headmen and elders:

Duties of, as to reporting and preventing offences and other matters - - - - - - - - ss.4,5.

Penalty on, for breach of duty - - - - - „ s.6(am.Act 18,1895, s.4).

TOWNS—*cont.*:

1. Lower Burma—*cont.*

Headmen and elders—*cont.*:

Obligation on residents to assist headmen - - - Act9,1892,s.7(am.Act18, 1895,s.4).

Penalty for holding, etc., unlicensed *pwé* - - - - „ s.7A(ins.Act18, 1895,s.5).

Finality of orders under Act - - - - - - „ s.8.

Power of Local Government to make rules for purposes of Act - „ s.9.

2. Upper Burma.

Reg. 6, 1891, not to be applied to cantonment without previous consent of Governor General in Council - - - - Reg. 6, 1891, section 2.

Division of towns into wards and blocks, and appointment, etc., of headmen and elders - - - - - - „ s.3.

Headmen and elders:

Duties of, as to reporting and preventing offences and other matters - - - - - - - „ ss.4,5.

Penalty on, for breach of duty - - - - „ s.6(am.Reg.4, 1896,s.5).

Obligation on residents to assist headmen - - - „ s.7(am.Reg.4, 1896,s.5).

Finality of orders under Regulation - - - - „ s.8.

Power of Local Government to make rules for purposes of Regulation „ s.9.

3. Madras.

See NUISANCE.

TRACKING OFFENDERS. *See* AJMERE, 3; PUNJAB, 4.

TRADE. *See* OFFENSIVE AND DANGEROUS TRADES.

TRADE DESCRIPTION. *See* MERCHANDISE MARKS.

TRADE MARKS. *See* MERCHANDISE MARKS.

TRAFFIC FACILITIES ON RAILWAYS. *See* RAILWAY, 5.

TRAMWAYS ACT (INDIAN) - - - - - - Act11,1886.

„ „ (BENGAL), 1883 - - - - - Ben.Act3,1883.

„ „ (BOMBAY), 1874 - - - - - Bom.Act1,1874.

„ „ (CALCUTTA), 1880 - - - - - Ben.Act1,1880.

„ „ „ 1894 - - - - - Ben.Act3,1894.

„ „ (KARACHI), 1883 - - - - - Bom.Act2,1883.

„ „ (LAHORE), 1886 - - - - - Act1,1886.

„ „ (RANGOON), 1883 - - - - - Act22,1883.

„ „ AMENDMENT ACT (BOMBAY) OF 1895 - - Bom.Act2,1895.

TRAMWAY.

1865. Act 3, s. 7 (Carriers).
1880. Ben. Act 9, ss. 6, 8 (Cesses).
1883. Ben. Act 3 (Tramways).
1886. Act 11 (Tramways).
1890. Act 9, s. 146 (Railways).

1. Preliminary.
2. Order authorising construction.
3. Construction and Maintenance.
4. Working.
5. Offences, Penalties, etc.
6. Discontinuance.
7. Miscellaneous.

1. Preliminary.

Definitions - - - - - - - - Act11,1886,s.3. Ben.Act3,1883,s.2.

TRAMWAY—*cont.*

2. Orders authorising construction.

Making of, by Local Government, subject to certain consents; contents and publication of order — Act 11, 1886, ss. 4 to 7. Ben. Act 3, 1883, ss. 3 to 5, 8.
Revocation, amendment, etc., of — Act 11, 1886, s. 8. Ben. Act 3, 1883, s. 6.
Costs of — Act 11, 1886, s. 24(*b*).
Deposit in respect of — „ s. 24(*c*).
Power to authorise joint work by Local Authorities — „ s. 9. Ben. Act 3, 1883, s. 7.
Cesser of powers granted by — Act 11, 1886, s. 10. Ben. Act 3, 1883, s. 9.

3. Construction and Maintenance.

Tramway not to be constructed except under Act — Act 11, 1886, s. 47.
„ to be constructed and maintained in manner provided by Order — „ s. 11. Ben. Act 3, 1883, s. 14.
Inspection before opening — Act 11, 1886, s. 12. Ben. Act 3, 1883, s. 20.
Breaking up streets, etc. — Act 11, 1886, s. 7(*e*). Ben. Act 3, 1883, s. 15.
Promoter to keep roads in repair — Act 11, 1886, s. 7(*g*). Ben. Act 3, 1883, s. 16.
Agreement between road-authority and promoter as to repair of roadway — Act 11, 1886, s. 13.
Promoter not to obstruct traffic — Ben. Act 3, 1883, s. 17.

4. Working.

(*a*) *Generally.*

Rights of promoters and the public over tramway — Act 11, 1886, s. 14. Ben. Act 3, 1883, ss. 18, 19, 23.
Carriages; description of, and motive power for — Act 11, 1886, s. 7(*m*), (*n*). Ben. Act 3, 1883, ss. 22, 23.
Carriage of dangerous or offensive goods — Act 11, 1886, s. 16. Ben. Act 3, 1883, s. 34.
Power of Local Authority to make rules—
generally — Act 11, 1886, s. 24(2). Ben. Act 3, 1883, s. 26.
for licensing and control of drivers, conductors, etc. — Act 11, 1886, s. 24(2)(*h*).
„ promoter or lessee to make rules for prevention of nuisances and for regulating travelling — „ s. 24(3). Ben. Act 3, 1883, s. 27.
Licences to third parties by Local Government to use tramways in certain events; licensee to account to promoter or lessee — Act 11, 1886, ss. 17, 18.

(*b*) *Tolls, etc.*

"Toll" includes charges — „ s. 3(10).
Promoter or lessee or Local Authority may take tolls, rates and fares; limits thereto; exhibition of list — „ ss. 15, 23. Ben. Act 3, 1883, ss. 21, 24, 25.
Penalty for evasion of — Act 11, 1886, s. 31. Ben. Act 3, 1883, s. 32.
Recovery of, from licensees — Act 11, 1886, s. 37.
„ „ „ passengers — „ s. 38.

TRAMWAY—*cont.*

5. Offences, Penalties, etc.

Promoter, lessee or licensee not complying with Act or order - Act11,1886,ss.27,47. Ben.Act3,1883,s.29.

Obstructing servant of promoter in exercise of his powers, or injuring mark - Act11,1886,s.28. Ben.Act3,1883,s.30.

Interfering with or obstructing tramway - Act11,1886,s.29. Ben.Act3,1883,s.31.

Without authority using on tramway a carriage suited thereto - Act11,1886,s.30.

Evading payment of toll or fare - „ s.31. Ben.Act3,1883,s.32.

Bringing dangerous or offensive goods on tramway without notice - Act11,1886,s.32. Ben.Act3,1883,s.34.

Licensee not rendering proper accounts - Act11,1886,s.33.

Breaches of rules or bye-laws - „ s.25. Ben.Act3,1883,s.35.

Arrest by servant of promoter - „ s.33.

Prosecutions under other laws not barred, but only one punishment allowed - Act11,1886,s.34.

6. Discontinuance.

Cessation of powers of promoter and lessee on discontinuance of tramway - „ s.19. Ben.Act3,1883,s.39.

Power of Local Government to order discontinuance in certain cases - Act11,1886,s.21(*1*). Ben.Act3,1883,s.40.

Power to remove tramway and restore road, on discontinuance of tramway; recovery of costs - Act11,1886,ss.20,21(*2*). Ben.Act3,1883,ss.39,40.

See also below, 7.

7. Miscellaneous.

Promoter only to acquire right of user of road - Act11,1886,s.39. Ben.Act3,1883,s.19.

„ to pay authorised charges for use of road or bridge; compounding for such charges - Act11,1886,s.39.

Promoters, lessees and licensees to be responsible for all injuries - „ s.42. Ben.Act3,1883,s.36.

Want of funds not a sufficient reason for suspending construction or discontinuing working - Act11,1886,s.43.

Recovery of moneys due from promoters and lessees - „ s.36.

Certain differences between promoters or lessees and Local Government, etc., to be settled by District Court as referee or by a referee appointed by Local Government; appeal to High Court - „ s.35.

Saving of right of Local Authority, etc.,—

to break up, etc., road, etc., where tramway laid - „ s.40. Ben.Act3,1883,s.38.

to regulate passage of traffic - Act11,1886,s.41. Ben.Act3,1883,s.37.

Saving of right of public to use road - Act11,1886,s.14. Ben.Act3,1883,s.18.

Lease of, or working of, tramway by Local Authority - Act11,1886,s.23. Ben.Act3,1883,s.21.

Purchase of tramway by Local Authority - Act11,1886,s.22. Ben.Act3,1883,s.41.

TRAMWAY—*cont.*

7. Miscellaneous—*cont.*

Local Funds may be applied by Local Authorities	Act11,1886,s.45. Ben.Act3,1883,s.10.
Power of Local Authority to demand rent from promoter; application of rent and tolls received by Local Authority	„ ss.11,12.
Transfer of control on exclusion of local area from circle of Local Authority	Act11,1886,section48.
General power of Local Government to make rules	„ s.24(*1*),(*4*). Ben.Act3,1883,s.13.
Publication of rules or bye-laws	Act11,1886,s.26. Ben.Act3,1883,s.28.
Power of Local Government to exempt animals, plant, etc., from municipal taxation	Act11,1886,s.44.
„ „ „ to extend Act to existing tramways	„ s.46.
Powers of Local Government exerciseable from time to time	„ s.50.
Power to extend Railways Act, 1890, to tramway worked by steam or other mechanical power	Act9,1890,s.146.
Liability of owner of tramroad constructed under Land Acquisition Act for loss of or damage to property delivered to him for carriage	Act3,1865,s.7.
„ of tramway to road cess and public works cess	Ben.Act9,1880,ss.6,8.

See also PROVIDENT FUND.

TRAMWAYS CONSTRUCTED UNDER SPECIAL AGREEMENT.

1874. Bom. Act 1 (Bombay City Tramway).	1883. Bom. Act 2 (Karachi Tramway).
1879. Ben. Act 6 (Darjeeling Steam Tramway).	1884. Ben. Act 2 (Calcutta Tramway).
1880. Ben. Act 1 (Calcutta Tramway).	1886. Act 1 (Lahore Tramway).
1883. Act 22 (Rangoon Tramway).	1894. Ben. Act 3 (Calcutta Tramway).

A.—BOMBAY CITY, CALCUTTA, KARACHI, LAHORE AND RANGOON TRAMWAYS
- **1. Preliminary.**
- **2. Agreements.**
- **3. Construction and Maintenance.**
- **4. Working.**
- **5. Offences, Penalties, etc.**
- **6. Discontinuance.**
- **7. Miscellaneous.**

B.—DARJEELING STEAM TRAMWAY .....

A.—BOMBAY CITY, CALCUTTA, KARACHI, LAHORE AND RANGOON TRAMWAYS.

1. Preliminary.

Definitions	(Bo.)Bom.Act1,1874,s.2. (Lah.)Act1,1886,s.2. (Ran.)Act22,1883,s.2(am. Act11,1889,s.100).

2. Agreements.

Agreements with grantees	(Bo.)Bom.Act1,1874,Sch. (Cal.)Ben.Act1,1880,Sch. (Cal.)Ben.Act3,1894,Sch. (Kar.)Bom.Act2,1883,Sch. (Lah.)Act1,1886,Sch. (Ran.)Act22,1883,Sch.
„ „ „ commencement of	(Lah.)Act1,1886,s.21.
Validation of supplementary agreement	(Cal.)Ben.Act3,1894.

TRAMWAYS CONSTRUCTED UNDER SPECIAL AGREEMENT—*cont.*

A.—BOMBAY CITY, CALCUTTA, KARACHI, LAHORE AND RANGOON TRAMWAYS—*cont.*

3. Construction and Maintenance.

Grantees empowered to construct and maintain tramways - (Bo.)Bom.Act1,1874,ss.3 (am.Bom.Act2, 1895),4,5. (Cal.)Ben.Act1,1880,ss. 3to5. (Kar.)Bom.Act2,1883,ss. 3to5. (Lah.)Act1,1886,s.3. (Ran.)Act22,1883,s.3.

Inspection before opening - - - - - - (Cal.)Ben.Act1,1880,s.6. (Kar.)Bom.Act2,1883,s.6. (Lah.)Act1,1886,s.3. (Ran.)Act22,1883,s.3.

Breaking up streets, etc. - - - - (Bo.)Bom.Act1,1874,ss. 10,11. (Cal.)Ben.Act1,1880,s.12. (Kar.)Bom.Act2,1883,s. 12. (Lah.)Act1,1886,ss.4,6. (Ran.)Act22,1883,ss.4,6.

Grantees to keep roads in repair - - - - - (Bo.)Bom.Act1,1874,s.12. (Cal.)Ben.Act1,1880,s.13. (Kar.)Bom.Act2,1883,s. 13. (Lah.)Act1,1886,s.5. (Ran.)Act22,1883,s.5.

„ not to obstruct traffic - - - - - (Cal.)Ben.Act1,1880,s.14. (Kar.)Bom.Act2,1883,s. 14.

„ performance of work in default of, at their expense - (Bo.)Bom.Act1,1874,s.14.

working.

(*a*) *Generally.*

Rights of grantees and the public over tramway - - - „ „ ss.7,8. (Cal.)Ben.Act1,1880,ss.8, 15. (Kar.)Bom.Act2,1883,ss. 8,15. (Lah.)Act1,1886,s.8. (Ran.)Act22,1883,s.8.

Carriages; description of, and motive power for - - - (Bo.)Bom.Act1,1874,ss.6, 7,9. (Cal.)Ben.Act1,1880,ss.7, 8. (Kar.)Bom.Act2,1883,ss. 7,8.

Carriage of dangerous or offensive goods - - - - (Bo.)Bom.Act1,1874,s.23. (Cal.)Ben.Act1,1880,s.23.

TRAMWAYS CONSTRUCTED UNDER SPECIAL AGREEMENT—*cont.*

A.—BOMBAY CITY, CALCUTTA, KARACHI, LAHORE AND RANGOON TRAMWAYS—*cont.*

4. Working—*cont.*

(*a*) *Generally*—cont.

Carriage of dangerous or offensive goods—(*cont.*) - - - (Kar.)Bom.Act2,1883,s.22. (Lah.)Act1,1886,s.13. (Ran.)Act22,1883,s.13.

Power of Local Authority to make rules, regulations or bye-laws—

generally - - - - - - (Bo.)Bom.Act1,1874,s.24. (Cal.)Ben.Act1,1880,s.24. (Kar.)Bom.Act2,1883,s. 23. (Lah.)Act1,1886,s.20. (Ran.)Act22,1883,s.20.

for licensing and control of drivers, conductors, etc. - (Cal.)Ben.Act1,1880,s.26. (Kar.)Bom.Act2,1883,s. 25. (Lah.)Act1,1886,s.20(*2*). (Ran.)Act22,1883,s.20(*1*).

„ of grantees to make regulations and bye-laws for prevention of nuisance, and for regulating travelling - - - (Bo.)Bom.Act1,1874,s.24. (Cal.)Ben.Act1,1880,s.24. (Kar.)Bom.Act2,1883,s. 23. (Lah.)Act1,1886,s.20. (Ran.)Act22,1883,s.20.

(*b*) *Fares and Charges.*

Grantees may take fares and charges; limits thereto; exhibition of *list* - - - - - - - - - (Bo.)Bom.Act1,1874,ss. 16to18. (Cal.)Ben.Act1,1880,ss. 9to11. (Kar.)Bom.Act2,1883,ss. 9to11. (Lah.)Act1,1886,ss.11,12. (Ran.)Act22,1883,ss.11, 12.

Penalty for evasion of - - - - - - (Bo.)Bom.Act1,1874,s.21. (Cal.)Ben.Act1,1880,s.21. (Kar.)Bom.Act2,1883,s. 20. (Lah.)Act1,1886,s.18. (Ran.)Act22,1883,s.18.

5. Offences, Penalties, etc.

Grantee not complying with Act or agreement - - - (Bo.)Bom.Act1,1874,s.18. (Cal.)Ben.Act1,1880,s.18. (Kar.)Bom.Act2,1883,s. 17. (Lah.)Act1,1886,s.14. (Ran.)Act22,1883,s.14.

TRAMWAYS CONSTRUCTED UNDER SPECIAL AGREEMENT—*cont.*

A.—BOMBAY CITY, CALCUTTA, KARACHI, LAHORE AND RANGOON TRAMWAYS—*cont.*

5. Offences, Penalties, etc.—*cont.*

Obstructing servant of grantees in exercise of their powers, or injuring mark — (Bo.)Bom.Act1,1874,s.19. (Cal.)Ben.Act1,1880,s.19. (Kar.)Bom.Act2,1883,s.18. (Lah.)Act1,1886,s.15. (Ran.)Act22,1883,s.15.

Interfering with or obstructing tramway — (Bo.)Bom.Act1,1874,s.20. (Cal.)Ben.Act1,1880,s.20. (Kar.)Bom.Act2,1883,s.19. (Lah.)Act1,1886,s.16. (Ran.)Act22,1883,s.16.

Evading payment of fare — (Bo.)Bom.Act1,1874,s.21. (Cal.)Ben.Act1,1880,s.21. (Kar.)Bom.Act2,1883,s.20. (Lah.)Act1,1886,s.18. (Ran.)Act22,1883,s.18.

Bringing dangerous or offensive goods on tramway without notice — (Bo.)Bom.Act1,1874,s.23. (Cal.)Ben.Act1,1880,s.23. (Kar.)Bom.Act2,1883,s.22. (Lah.)Act1,1886,s.17. (Ran.)Act22,1883,s.17.

Breaches of rules or bye-laws — (Bo.)Bom.Act1,1874,s.25. (Cal.)Ben.Act1,1880,s.25. (Kar.)Bom.Act2,1883,s.24. (Lah.)Act1,1886,s.20(4). (Ran.)Act22,1883,s.20(3).

Arrest by servant of grantees — (Bo.)Bom.Act1,1874,s.22. (Cal.)Ben.Act1,1880,s.22. (Kar.)Bom.Act2,1883,s.21. (Lah.)Act1,1886,s.19. (Ran.)Act22,1883,s.19.

Prosecutions under other laws not barred, but only one punishment allowed — (Lah.)Act1,1886,s.26.

6. Discontinuance.

Power to remove tramway and restore road, on discontinuance of tramway; recovery of costs — (Bo.)Bom.Act1, 1874,s.29.

See also below, 7.

7. Miscellaneous.

Grantees only to acquire right of user of road — (Cal.)Ben.Act1,1880,s.17. (Kar.)Bom.Act2,1883,s.16. (Lah.)Act1,1886,s.9. (Ran.)Act22,1883,s.9.

TRAMWAYS CONSTRUCTED UNDER SPECIAL AGREEMENT—*cont.*

A.—BOMBAY CITY, CALCUTTA, KARACHI, LAHORE AND RANGOON TRAMWAYS—*cont.*

7. Miscellaneous—*cont.*

Grantees to be responsible for all injuries - (Bo.)Bom.Act1,1874,s 27. (Cal.)Ben.Act1,1880,s. 27. (Kar.)Bom.Act2,1883,s. 26. (Lah.)Act1,1886,s.6(*c*). (Ran.)Act22,1883,s.6(*c*).

Want of funds not a sufficient reason for suspending construction or discontinuing working - (Lah.)Act1,1886,s.22). (Ran.)Act22,1883,s.21.

Recovery of fares, penalties, etc. - (Bo.)Bom.Act1,1874,s.26.

Saving of right of Local Authority, etc.,—

to break up, etc., road traversed by tramway - „ „ s.15. (Cal.)Ben.Act1,1880,s 29. (Kar.)Bom.Act2,1883,s. 28. (Lah.)Act1,1886,s.7. (Ran.)Act22,1883,s.7.

to regulate passage of traffic - (Bo.)Bom.Act1,1874,s.28. (Cal.)Ben.Act1,1880,s.28. (Kar.)Bom.Act2,1883,s. 27. (Lah.)Act1,1886,s.10. (Ran.)Act22,1883,s.10.

„ „ public to use road - (Bo.)Bom.Act1,1874,s.8. (Cal.)Ben.Act1,1880,s.15. (Kar.)Bom.Act2,1883,s. 15. (Lah.)Act1,1886,s.8. (Ran.)Act22,1883,s.8.

„ „ Port Commissioners, etc., to run tramway across grantees' tramway - (Cal.)Ben.Act1,1880,s.16. (Ran.)Act22,1883,s.8(*b*).

Sale of tramway by grantees - (Bo.)Bom.Act1,1874,s.31. (Kar.)Bom.Act2,1883,s. 30.

Purchase of tramway by Local Authority - (Bo.)Bom.Act1,1874,s.30. (Cal.)Ben.Act1,1880,s.30. (Kar.)Bom.Act2,1883,s. 29.

In parts of Calcutta not subject to the Calcutta Municipal Act, Local Government to exercise powers of Corporation - (Cal.)Ben.Act2,1884,s.3.

Transfer of control to Local Government on exclusion of local area from municipality - (Lah.)Act1,1886,s.24.

Power of Local Government to make rules - „ s.20.

Publication of rules - „ s.20(5). (Ran.)Act22,1883,s.20. (4).

Plant, etc., exempt for five years from certain municipal taxation - (Lah.)Act1,1886,s.23. (Ran.)Act22,1883,s.22.

TRAMWAYS CONSTRUCTED UNDER SPECIAL AGREEMENT—*cont.*

A.—BOMBAY CITY, CALCUTTA, KARACHI, LAHORE AND RANGOON TRAMWAYS—*cont.*

7. Miscellaneous—*cont.*

Tramway not exempt from Railways Act, 1890, s. 146, or other enactments — (Lah.)Act1,1886,s.25(am. Act9,1890,s.2). (Ran.)Act22,1883,s.23.

Omission or irregularity in publishing notice not to affect application of Acts — (Cal.)Ben.Act2,1884,s.5.

Certain streets to be deemed within the municipality of Rangoon, for purposes of Act and Agreement — (Ran.)Act22,1883,s.24.

B.—DARJEELING STEAM TRAMWAY.

Power to construct and maintain, to use locomotives, etc., and to obstruct cart-road — Ben.Act6,1879.

TRANSFER OF PROPERTY ACT, 1882 — Act 4,1882.

TRANSFER OF PROPERTY.

A.—TRANSFERS GENERALLY.

1. Preliminary.

Act 11, 1855, declared in force in whole of British India, except as regards the Scheduled Districts — Act15,1874,s.3.

" " applies only to cases to which English law is applicable — Act11,1855,s.3.

Act 4, 1882, extends to whole of British India, except Bombay Presidency, Lower Burma and Punjab, but may be extended to those Provinces by notification — Act4,1882,s.1.

" " repealed as to crown grants — Act15,1895.

" " ss. 5 to 53, not to affect rules of Hindu, Muhammadan or Buddhist law — Act 4, 1882, section 2.

General definitions — " s.3.

2. Property generally.

Definition of "transfer of property" — " s.5.

What property may and what may not be transferred — " s.6(am.Act3, 1885,s.4).

Who may transfer — " s.7.

Operation and incidents of transfer — " s.8.

Transfer may be made orally where writing not expressly required by law — " s.9.

Condition restraining alienation, void; exceptions — " s.10.

Restriction repugnant to interest created, void; exception — " s.11.

Condition making interest determinable on insolvency or attempted alienation, void; exception — " s.12.

Rules against perpetuity and transfers for benefit of unborn persons — " ss.13to17.

Direction for accumulation, void; exception — " s.18.

Vested interests and contingent interests — " ss.19to24.

Conditional transfers — " ss.25to34.

Election — " s.35.

Apportionment of periodical payments on determination of interest of person entitled — " s.36.

" of benefit of obligation, on severance — " s.37.

TRANSFER OF PROPERTY—*cont.*

A.—TRANSFERS GENERALLY—*cont.*

3. Immoveable Property.

Presumption in case of transfer by person authorised to transfer under certain circumstances only	Act 4, 1882, section 38.
Right of third person to maintenance or to provision for advancement or marriage, how affected	,, s.39.
Enforcement, after transfer, of obligation imposing restriction on use or obligation annexed to ownership	,, s.40.
Effect of transfer by ostensible owner	,, s.41.
,, ,, by person having authority to revoke former transfer	,, s.42.
,, ,, by unauthorised person who subsequently acquires interest in property transferred	,, s.43.
,, ,, by one co-owner	,, s.44.
,, ,, to two or more persons	,, s.45.
,, ,, by persons having distinct interests	,, s.46.
,, ,, by co-owners of share in common property	,, s.47.
Priority of rights created by transfer	,, s.48.
Transferee's right under policy of fire insurance	,, s.49.
Holder under defective title:	
Person holding *bonâ fide* from, not chargeable with rents or profits *bonâ fide* paid to him	Act11,1855,s.1. Act4,1882,s.50.
Value of improvements made by *bonâ fide* holder under defective title, secured to him	Act11,1855,s.2. Act4,1882,s.51.
Act 11, 1855, s. 1, repealed where Transfer of Property Act, 1882, is in force	,, s.2.
Restriction on transfer of property pending suit relating thereto	,, s.52.
Fraudulent transfers voidable	,, s.53.
Crown grants of land or interest therein to take effect according to their tenor, notwithstanding other laws	Act15,1895.

B.—TRANSFERS OF PARTICULAR KINDS.

See ACTIONABLE CLAIM; ASSIGNMENT; CHARGE; EXCHANGE; GIFT; LEASE; MORTGAGE; SALE; TALUQDARS AND GRANTEES, OUDH.

TRANSLATION.

Copyright in. *See* COPYRIGHT, 5 (*c*).

TRANSPORT. *See* MARCHING TROOPS; TRAVELLER.

TRANSPORT OF SALT ACT, 1879. (*See* SALT) — Act16,1879.

TRANSPORTATION.

See CRIMINAL LAW (INDIAN), 2.

Treatment of convicts sentenced to. *See* PRISONER (INDIAN LAW), 2 (4).

Penalty for unlawful return from — Act45,1860,s.226.

TRAVELLER.

Ben. Reg. 11, 1806, s. 8,[1] declared in force—

throughout Bengal and the North-Western Provinces, except as regards the Scheduled Districts	Act15,1874,ss.6,7.
in the Santhál Parganas	Reg.3,1872,s.3(am.Reg.3·1886).

[1] Ben. Reg. 11, 1806, s. 8, has been declared, by notification under the Scheduled Districts Act, 1874, to be in force in Assam, except the North Lushai Hills.

TRAVELLER—*cont.*
Ben. Reg. 11, 1806, s. 8, declared in force—*cont.*
in the Central Provinces - - - - - Act20,1875,s.3.
in Oudh (with modifications) - - - - - Act18,1876,s.3.
in Ajmere - - - - - - - Reg.3,1877,s.3.
in Angul and the Khondmals - - - - - - Reg.1,1894,s.3.
Police empowered to aid travellers in procuring supplies or means of transport; duty of police to see that proper payment is made - Ben.Reg.11,1806,s.8(am. inO.,Act18,1876,s.3).
Ben. Reg. 11, 1806, repealed as to coolies - - - - Ben.Reg.3,1820,s.2. (Aj.)Reg.3,1877,s.3. (C.P.)Act20,1875,s.3. (O.)Act18,1876,s.3.
Duty of village headman to furnish, on payment, guides, supplies and means of transport - - - - - - (L.B.)Act3,1889,s.6(g). (am.Act18,1895,s.1). (U.B.)Reg.14,1887,s.5(g). (am.Reg.4,1896,s.1).
Supply of provisions and labour for travelling officials, in Angul District - - - - - - - - - Reg.1,1894,s.55.

TREASON.
See CRIMINAL LAW AND PROCEDURE (ENGLISH).

TREASURE TROVE ACT (INDIAN), 1878 - - - - Act6,1878.

TREASURE TROVE.
Act 6, 1878, extends to whole of British India - - - Act6,1878,s.1.
" " declared in force in—
the Santhál Parganas - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
Upper Burma generally (except the Shan States) - Act20,1886,s.6.
Angul and the Khondmals - - - - Reg.1,1894,s.3.
Definitions - - - - - - - - Act 6, 1878, section3.
Notice to be given by finder of treasure - - - - " s.4.
Enquiry by Collector into claims - - - - - " ss.5,7to9,18.
" Coroner, abolished - - - - - Act4,1871,s.30.
Forfeiture of claim by non-appearance of claimant - - - Act 6, 1878, section6.
Delivery of treasure to finder, or division of it between him and other claimant - - - - - - - - " ss.10to12,15.
Power of Collector to sell - - - - - - " s.12.
" " to acquire, for Government - - - " s.16.
Reference to Civil Court when allowed - - - - " ss.8,13,14.
Bar to proceedings for things done under Act - - - " s.17.
Power of Local Government to make rules for working of Act - " s.19.
Penalties - - - - - - - - - " ss.20,21.

TREES.
Obstructing railway; removal of - - - - - Act9,1890,s.15.
Right of Government to trees; rights of landholders in respect of trees on roadside - - - - - - - - Bom.Act5,1879,ss.40to42.
Recovery of value of Government trees or their products unauthorisedly appropriated - - - - - - " s.43.
Regulation of supply of firewood and timber from Government trees " s.44.
To be under authority of Local Self-government Boards:
Ajmere. *See* LOCAL SELF-GOVERNMENT, II, 3.
Bombay. " " " IV, 3.
C. P. " " " V, 3
Mad. " " " VI, 3.

TREES—*cont.*

To be under authority of Local Self-government Boards—*cont.*:
N.-W. P. and Oudh. *See* LOCAL SELF-GOVERNMENT, VII, 3.
Punjab. „ „ „ VIII, 3.
See also FOREST.

TRESPASS.
Definitions of. *See* WORDS AND PHRASES.
Penalty for - - - - - - - - - (Bo. Town) Act 48, 1860, s. 9. (Cal.) Ben. Act 4, 1866, s. 29. (M. City) Mad. Act 3, 1888, s. 63.
Criminal: punishment for; obligation to give information of; compounding for. *See* CRIMINAL LAW (INDIAN), 15.
By animals. *See* ANIMAL, B.

TRIAL.
None to be condemned without trial - - - - - 25 E. 1 (*Mag. Car.*), c. 29.
None to be tried except on process of law - - - - 25 E. 1 (*Mag. Car.*), c. 28. 28 E. 3, c. 3. 3 C. 1, c. 1. [1]

TRIBUTARY MAHALS OF ORISSA ACT, 1893. (*See* ORISSA) - - Act 11, 1893.

TRIBUTE.
Levy of, in Arakan Hill District - - - - - Reg. 9, 1874, ss. 12 to 14.

TROOPS TRANSPORT REGULATION (BENGAL), 1825.[2] (*See* MARCHING TROOPS) - - - - - - - Ben. Reg. 6, 1825.

TROOPS TRANSPORT AND TRAVELLERS ASSISTANCE REGULATION (BENGAL), 1806.[2] (*See* MARCHING TROOPS; TRAVELLER) - Ben. Reg. 11, 1806.

TRUSTS ACT (INDIAN), 1882 - - - - - - - Act 2, 1882.

TRUSTEE ACT (INDIAN), 1866. (*See* ADMINISTRATION; MORTGAGE; TRUST) - - - - - - - - - Act 27, 1866.

TRUSTEES' AND MORTGAGEES' POWERS ACT, 1866. (*See* ADMINISTRATION; ASSIGNMENT; LEASE; MORTGAGE; POWERS; RENTCHARGE; TRUST) - - - - - - - - - - Act 28, 1866.

TRUST.

A.—GENERALLY.

1. Preliminary.

Act 2, 1882, extends to Assam, Central Provinces, Coorg, Madras Presidency, North-Western Provinces, Oudh and Punjab - - - - - - - Act 2, 1882, section 1.
„ „ may be extended to other provinces by notification - „
Definition of "trust," etc. (*See also* WORDS AND PHRASES) - „ s. 3.

2. Creation of Trust.

Purpose must be lawful - - - - - - - „ s. 4.
How created - - - - - - - - - „ ss. 5 to 7.
Subject of trust - - - - - - - - „ s. 8.
Beneficiary: who may be; disclaimer by - - - - „ s. 9.
Who may be trustee; no one bound to accept trust; acceptance and disclaimer - - - - - - - - „ s. 10.

[1] These Acts are indexed because they are published in the Collection of Statutes relating to India.
[2] This short title was given by Act 5, 1897, s. 4.

TRUST—*cont.*

A.—GENERALLY—*cont.*

3. Duties, Powers, etc., of Trustee.

Duties and liabilities:

To execute trust	Act 2, 1882, section 11.	
To inform himself of state of trust property	„	s.12.
To protect title to trust property	„	s.13.
Not to set up title adverse to beneficiary	„	s.14.
Care required from trustee	„	s.15.
Duty as to conversion of perishable property	„	s.16.
To be impartial	„	s.17.
To prevent waste	„	s.18.
To keep accounts and furnish accounts and information to beneficiary	„	s.19.
Duty as to investment of trust-money	„	ss.20,21.
„ „ sale directed to be made within specific time	„	s.22.
Liability for breach of trust; no set-off allowed	„	ss.23,24.
Non-liability for predecessor's default	„	s.25.
Co-trustees: non-liability for default of; exception	„	s.26.
„ when severally liable; contribution	„	s.27.
Non-liability where trustee pays without notice of transfer by beneficiary	„	s.28.
Liability where beneficiary's interest is forfeited to Government	„	s.29.
Indemnity of trustee	„	s.30.
Trust-property wrongfully converted and again coming to trustee becomes again trust-property	„	s.65.
Liability where trust-property wrongfully used in partnership business	„	s.67.
Punishment for criminal breach of trust	Act 45, 1860, ss.405 to 409.	
Suit against express trustee not barred by any length of time	Act 15, 1877, s.10.	
Payment of income-tax by trustee. *See* INCOME-TAX, 3.		

Rights and powers:

Right to title-deeds	Act 2, 1882, section 31.	
„ to re-imbursement of expenses or over-payment	„	s.32.
„ to indemnity from gainer by breach of trust	„	s.33.
„ to apply to Court for opinion in management of trust property	„	s.34.
„ to settlement of accounts	„	s.35.
General authority of trustee	„	s.36 (pt. rep. Act 12, 1891).
Powers as to sale	„	ss.37 to 39.
Power to vary investments	„	s.40.
„ to apply property of minors, etc., for their maintenance, etc.	„	s.41.
„ to give receipts	„	s.42.
„ to compound, etc.	„	s.43.
Powers when one of several trustees dies or disclaims	„	s.44.
Suspension of powers by decree	„	s.45.

Disabilities:

Cannot renounce after acceptance; exceptions	„	s.46.
Cannot delegate; exceptions	„	s.47.

TRUST—*cont.*

A.—GENERALLY—*cont.*

3. Duties, Powers, etc., of Trustee—*cont.*

Disabilities—*cont.*

Co-trustees cannot act singly except where instrument of trust so provides — Act 2, 1882, section 48.
Control of discretionary power by Court — „ s. 49.
Not to charge for services; exceptions — „ s. 50.
„ use trust property for his own profit — „ s. 51.
„ buy, etc., trust-property — „ ss. 52, 53.
„ lend to co-trustee — „ s. 54.

Vacation of office:

Office vacated by death or discharge of trustee — „ s. 70.
Trustee how discharged — „ ss. 71, 72.
Appointment of new trustee on disclaimer, death, etc. — „ ss. 73, 74.
New trustees: vesting of trust-property in; their powers — „ s. 75.
Survival of trust on death or discharge of co-trustee — „ s. 76.

Procedure in suit by or against trustee. *See* CIVIL PROCEDURE, 4.
See also OFFICIAL TRUSTEE; PORT COMMISSIONER OR TRUSTEES; SOCIETY, 2; *and below*, 4.

4. Rights and Liabilities of Beneficiary.

Right to rents and profits — „ s. 55.
„ to specific execution — „ s. 56.
„ to transfer of possession — „ s. 56.
„ to inspect and take copies of instrument of trust, accounts, etc. — „ s. 57.
„ to transfer beneficial interest — „ s. 58.
„ to sue for execution of trust — „ s. 59.
„ to have trust property properly protected and administered by proper persons — „ s. 60.
„ to compel trustee to perform act of duty and to restrain him from committing breach of trust — „ s. 61.
Rights where trustee has wrongfully bought trust property — „ s. 62.
Right to follow trust property — „ ss. 63, 64.
„ when trustee wrongfully mingles trust-property with his own — „ s. 66.
Liability of beneficiary joining in breach of trust — „ s. 68.
Rights and liabilities of beneficiary's transferee — „ s. 69.

5. Extinction and Revocation of Trust.

Trust when extinguished — „ s. 77.
„ revocation of — „ ss. 78, 79.

6. Certain Obligations in the nature of Trusts.

Such obligations created—
where it does not appear that transferor intended to dispose of beneficial interest — „ s. 81.
where property transferred to one for consideration paid by another — „ s. 82.
„ „ „ pursuant to contract which is rescindable or was induced by fraud or mistake — „ s. 86.
„ „ „ for illegal purpose — „ s. 84.

TRUST—*cont.*

A.—GENERALLY—*cont.*

6. Certain Obligations in the nature of Trusts—*cont.*

Such obligations created—*cont.*

where bequest made for illegal purpose - - - -	Act 2, 1882, section 85.
where revocation of bequest prevented by coercion - -	Act 2, 1882, section 85.
where trust incapable of execution, or executed without exhausting trust property - - - - - -	„ s.83.
where property acquired with notice of existing contract -	„ s.91.
„ „ „ by person contracting to buy for beneficiary - - - -	„ s.92.
where debtor becomes creditor's representative - - -	„ s.87.
where advantage gained by trustee, executor, partner or other fiduciary - - - -	„ s.88.
„ „ „ by exercise of due influence - -	„ s.89.
„ „ „ by tenant for life, mortgagee or other qualified owner - - -	„ s.90.
„ „ „ secretly by one of several compounding creditors - - - -	„ s.93.
where person having possession of property has not the whole beneficial interest therein - - - - -	„ s.94.
Duties, liabilities and disabilities of obligor - - - -	„ s.95.
Ss. 81 to 95 not to impair rights of *bonâ fide* transferee - -	„ s.96.
„ „ create obligation in evasion of law - -	„ s.96.

7. Miscellaneous.

Trust not to be entered on register of shipping - - -	57-8 V. c. 60, s. 56.
Trust in respect of Government securities; notice of, not receivable by Government - - - - - - - -	Act 13, 1886, s. 4.

Religious and charitable trusts. *See* ENDOWMENT.

B.—CASES GOVERNED BY ENGLISH LAW.

Person having use or trust in lands to be deemed seised of legal estate. *See* LAND (ENGLISH LAW).

Declaration of trust as to land, and assignment of trust, to be in writing and signed, or by Will; proviso for trusts arising or transferred by implication or operation of law - - -	29 C. 2, c. 3, ss. 7 to 9 (rep. locally, Act 2, 1882). [1]
Trust estate descending to be assets by descent; heir not chargeable of his own estate - - - - - - - -	„ ss. 10, 11 (rep. locally, Act 2, 1882). [1]

See also CESTUI QUE VIE.

Acts 31, 1854, and 28, 1866, declared in force throughout British India, except as regards the Scheduled Districts - - -	Act 15, 1874, s. 3.
Acts 31 of 1854 and 27 and 28 of 1866 apply only in cases to which English law is applicable - - - - - - -	Act 31, 1854, s. 18. Act 27, 1866, s. 3. Act 28, 1866, s. 45.
Protection of contingent estates without trustee to preserve - -	Act 31, 1854, s. 13.
Bonâ fide purchaser not required to see to application of trust-money	„ s. 17.
Act 31, 1854, s. 17, repealed where Transfer of Property Act, 1882, is in force - - - - - - - - -	Act 4, 1882, s. 2.
Definitions - - - - - - - - -	Act 27, 1866, s. 2. Act 28, 1866, s. 1.

[1] These sections are indexed because they are published in the Collection of Statutes relating to India.

TRUST—*cont.*

B.—CASES GOVERNED BY ENGLISH LAW—*cont.*

Power of High Court to make order for disposal of—
- immoveable property, or contingent right therein, or stock, etc., held by trustees who are lunatic or of unsound mind - - Act 27, 1866, ss. 4 to 6.
- immoveable property or contingent right therein, held by trustees who are minors - - - - - - „ ss. 8, 9.
- immoveable property or contingent right therein, held by trustee, who is out of jurisdiction or cannot be found - - - „ ss. 10 to 13.
- immoveable property held by two or more trustees, when it is uncertain which of them was the survivor or whether the last trustee is living or dead - - - - - - „ ss. 14, 15.
- immoveable property held by trustee, when he dies without heir - - - - - - - - - „ s. 16.
- contingent right which would be held in immoveable property as trustee by unborn person - - - - - - „ s. 17.
- immoveable property or contingent right therein, held by trustee who refuses to convey same - - - - - „ s. 18.

Power to appoint person to convey; power to issue order to Secretary of Company or Society in such cases - - - - „ s. 20.

Power of High Court to make order for disposal of stock, Government securities, etc.—
- when trustee is out of jurisdiction or cannot be found - - „ s. 21.
- when trustee refuses to transfer or to receive and pay over dividends - - - - - - - - - „ ss. 22, 23.

Effect of such orders for vesting stock, Government securities, etc - „ ss. 25 to 29.

Power of High Court to make order for disposal of stock or Government securities vested in minor trustee - - - - - „ s. 30.

Power of High Court to make order for disposal of immoveable property or contingent right therein when it has directed sale of the property - - - - - - - - - „ ss. 32, 33 (s. 31 rep. locally, Act 4. 1882, s. 2).

Power of High Court to make order for disposal of rights in immoveable property when it has decreed specific performance, partition or exchange, etc. - - - - - - - „ s. 33.

Power of High Court to direct how right to transfer stock, etc., vested under Act shall be exercised - - - - - „ s. 34.

Power of High Court to appoint new trustees and give them powers and rights - - - - - - - - - - „ ss. 35 to 42.

Power of High Court to make order as to costs under Act - - „ ss. 44, 49.

Orders of High Court to be conclusive evidence of matters on which they are based - - - - - - - - - „ s. 44.

Powers under Act exerciseable in case of charities - - - „ s. 45.

Payment into Court, etc., of moneys to which minor or person of unsound mind is entitled by virtue of action taken under Act - „ s. 46.

Power of High Court to make decree in absence of trustee who cannot be found - - - - - - - - „ s. 47.

Stamp-duty on orders made under Act - - - - „ s. 48.

Power of High Court to direct enquiry whether person concerning whom petition is presented under Act 27, 1866, is of unsound mind; application of Act 34, 1858 - - - - „ s. 50.

Power of High Court to postpone making order under Act until petitioner's right declared in suit - - - - - „ s. 51.

TRUST—*cont.*

B.—CASES GOVERNED BY ENGLISH LAW—*cont.*

Indemnity to persons obeying orders made under Act - - Act27,1866,s.52.
Orders under Act to have force of decree - - - - „ s.53.
Powers and duties of trustees in executing trust for sale - - Act28,1866,sections2to5.
Legatee in trust, and his successors, may raise money by sale, notwithstanding want of express power in will - - - „ ss.25,26,28.
Purchaser not bound to see to application of purchase-money, etc. - „ s.31.
Powers of trustee as to investment of trust-funds - - - „ s.32.
Power of trustee to apply income for maintenance, etc., of minor - „ s.33.
Appointment of new trustees; their powers, etc. - - - „ ss.34,35.
Power to appoint Official Trustee to succeed trustee deceased, etc. -
Trustee's receipts to be discharges - - - - - „ s.36.
Instruments of trust to be deemed to contain clauses for indemnity and re-imbursement of trustees - - - - - „ s.37.
Right of trustee to apply to *High Court* for advice - - - „ s.43.
Act 28, 1866, ss. 2 to 5, 32 to 37, 43, repealed where Transfer of Property Act, 1882, is in force - - - - - Act2,1882, s.2.

UNCLAIMED ASSETS.

Transfer of, to Government—
by Administrator General - - - - - Act2,1874,ss.62,63.
by High Court - - - - - - - Act25,1866,ss.1,3,4. Act5,1870.

UNCLAIMED PROPERTY.

Duties of Police and Magistrates as to taking charge of and dealing with - - - - - - - - - Act5,1861,ss.25,26,27(am. Act8,1895,ss.7,8). Bom.Act4,1890,ss.57to59.
Power to make rules as to disposal of, under Act 5, 1861, ss. 25 to 27 (O.)Act18,1876,s.39(*b*).
Duty of Police to take charge of - - - - - (Bo.)Bom.Act8,1867,s.19. (M.City)Mad.Act3,1888, s.23.
Sale of, by Railway-administration. *See* RAILWAY, 6 (*b*).
Of intestate; protection of, by District Judge - - - (As.,Ben.,L.B.,N.-W.P.) Ben.Reg.5,1799,s.7. Bom.Reg.8,1827,ss.9to11, App.C. Mad.Reg.3,1802,s.16(7). Mad.Reg.5,1829,s.3.
Disposal of, in Oudh. *See* OUDH, 6.

UNIONS.

Under Local Self-government Acts:
Bengal. *See* LOCAL SELF-GOVERNMENT, III.
Madras. „ „ „ VI.
Under Municipal Act in Assam. *See* MUNICIPALITY, IV, B.

UNIFORMS ACT, 1894 - - - - - - - - 57-8V.c.45.

UNIFORM.

Restrictions on wearing of military or naval uniforms by unauthorised persons - - - - - - - - 57-8V.c.45.

UNITED STATES.

Trade with, to be regulated by Convention of 3rd July, 1815; saving of customs duties - - - - - - - Mad.Reg.7,1831,ss.3,4.

UNIVERSITY ACT (ALLAHABAD), 1887 - - - - - Act18,1887.
„ „ (PUNJAB), 1882 - - - - - Act19,1882.

UNIVERSITY.

1. Allahabad.

Establishment and incorporation of - - - - - Act18,1887,section2.
Patron, Chancellor, Vice-Chancellor and Fellows - - - „ ss.2to8,Sch.
Senate; constitution and general powers of - - - - „ ss.9,12.
„ power of, to confer degrees - - - - - „ s.14.
„ „ „ levy fees - - - - - „ s.16.
„ „ „ make rules - - - - - „ s.17.
„ meetings of - - - - - - - - „ ss.10,11.
Syndicate; appointment and functions of - - - - „ ss.12,13.
Examiners and officers; appointment and status of - - - „ ss.12,18.
Honorary fellows - - - - - - - - „ s.8.
„ degrees - - - - - - - - „ s.15.
Duty of Local Government to enforce Act and rules - - „ s.19.
Appointments and certain other matters to be notified in Gazette - „ s.20.
Annual accounts, and audit thereof - - - - - „ s.21.

2. Bombay, Calcutta and Madras.

Establishment and incorporation of - - - (Bo.)Act22,1857,ss.1to3. (Cal.)Act2,1857,ss.1to3. (Mad.)Act27,1857,ss.1to3.
Chancellor, Vice-Chancellor and Fellows - - - (Bo.)Act22,1857,ss.1,3to8. (Cal.)Act2,1857,ss.1,3to8. (Mad.)Act27,1857,ss.1,3to8.
Senate; constitution of - - - - - (Bo.)Act22,1857,s.3. (Cal.)Act2,1857,s.3. (Mad.)Act27,1857,s.3.
„ meetings of - - - - - (Bo.)Act22,1857,s.9. (Cal.)Act2,1857,s.9. (Mad.)Act27,1857,s.9.
Power to make bye-laws - - - - - (Bo.)Act22,1857,s.8. (Cal.)Act2 1857,s.8. (Mad.)Act27,1857,s.8.
Examiners and officers; appointment and removal of - (Bo.)Act22,1857,s.10. (Cal.)Act2,1857,s.10. (Mad.)Act27,1857,s.10.
Power to confer degrees - - - - - (Bo.)Act22,1857,ss.11to14. (Cal.)Act2,1857,ss.11to14. (Mad.)Act27,1857,ss.11to14. Act47,1860.
„ „ honorary degrees - - - - - Act1,1884,s.2.
Fees and accounts - - - - - - (Bo.)Act22,1857,s.15. (Cal.)Act2,1857,s.15. (Mad.)Act27,1857,s.15.

3. Lahore.

Establishment and incorporation of - - - - - Act19,1882,sections2,3.
Patron, Chancellor, Vice-Chancellor and Fellows - - - „ ss.2to8,Sch.
Senate; constitution and general powers of - - - - „ ss.9,12.
„ power of, to confer degrees - - - - - „ ss,14to16.
„ „ „ levy fees - - - - - „ s.17.
„ „ „ make rules - - - - - „ s.18.

UNIVERSITY—*cont.*

3. Lahore—*cont.*

Senate; meetings of	Act 19, 1882, ss. 10, 11.
Syndicate; appointment and functions of	„ ss. 12, 13.
Examiners and officers; appointment, etc., of	„ s. 12.
Honorary degrees	„ s. 16.
Duty of Local Government to enforce Act and rules	„ s. 19.
Appointments and certain other matters to be notified in Gazette	„ s. 20.
Audit of accounts annually	„ s. 21.

UNLAWFUL ASSEMBLY. *See* CRIMINAL LAW (INDIAN), 6.

UNNATURAL OFFENCES. *See* CRIMINAL LAW (INDIAN), 14 (*b*).

UNSEAWORTHINESS. *See* MERCHANT SHIPPING, 7 (*c*).

URINALS.

Regulation of. *See cross-references from* DRAINS, LATRINES, ETC.

VACCINATION ACT, 1880	Act 13, 1880.
„ „ (BENGAL, 1880	Ben. Act 5, 1880.
„ „ (BOMBAY), 1877	Bom. Act 1, 1877.
„ „ (BOMBAY DISTRICTS), 1892	Bom. Act 1, 1892.
„ „ (KARACHI), 1879	Bom. Act 4, 1879.
VACCINATION ACTS AMENDMENT ACT, 1882	Bom. Act 3, 1882.

VACCINATION.

1865. Ben. Act 4 (Inoculation, Assam and Bengal).
1868. Act 24 (Inoculation; Kumaon, Garhwal, Tarai Parganas).
1872. Reg. 3, s. 3 (Laws, Santhál Parganas).
1877. Bom. Act 1 (Vaccination, Bombay City).
1879. Bom. Act 4 (Vaccination, Karachi).
1880. [1]Ben. Act 5 (Vaccination, Assam and Bengal).
1880. [1] Act 13 (Vaccination; Ajmere Assam, Burma, Central Provinces, Coorg, N.-W. Provinces, Oudh, Punjab).
1885. Ben. Act 3, ss. 92 to 96 (Local Self-government, Bengal).
1887. [1] Ben. Act 2 (Vaccination, Assam and Bengal).
1890. Ben. Act 2 (Vaccination, Bengal).
1892. Bom. Act 1 (Vaccination, Bombay Presidency).

I.—AJMERE, ASSAM,[1] BURMA, CENTRAL PROVINCES, COORG, N.-W. PROVINCES, OUDH AND PUNJAB
1. Preliminary.
2. Vaccination-circles and Establishments.
3. Vaccination of children.
4. Inoculation.
5. Supplemental.

II.—ASSAM[1] AND BENGAL
1. Preliminary.
2. Vaccine-stations and Establishments.
3. Vaccination of children.
4. Vaccination of unprotected persons.
5. Inoculation.
6. Supplemental.

III.—BOMBAY PRESIDENCY
1. Preliminary.
2. Vaccination-circles, etc., and Establishments.
3. Vaccination of children.
4. Vaccination of prisoners.
5. Inoculation.
6. Supplemental.

IV.—MADRAS PRESIDENCY .....

[1] Act 13, 1880, extends *proprio vigore* to Assam—*see* its 1st section. Ben. Acts 5, 1880, and 2, 1887, have been extended to Assam by notification under the Scheduled Districts Act, 1874.

VACCINATION—*cont.*
Definition of "vaccination-area," "vaccination-circle," etc. *See* WORDS AND PHRASES.

I.—AJMERE, ASSAM, BURMA,[1] CENTRAL PROVINCES, COORG, N.-W. PROVINCES, OUDH AND PUNJAB.

1. Preliminary.

Definitions	Act 13, 1880, s. 2.
Power of Local Government to extend Act—	
to municipality, on application of Municipal Commissioners	,, s. 3.
to cantonment	,, s. 4.
Power of Local Government to withdraw local area in municipality or cantonment from operation of Act	,, s. 5.

2. Vaccination-circles and Establishments.

Vaccination-circles	,, s. 7.
Appointment of vaccinators and Superintendent of Vaccination	
Licensing of private vaccinators	,, s. 8.

3. Vaccination of children.

Vaccination of children compulsory; memorandum of vaccination or certificate of temporary unfitness therefor; inspection after vaccination; certificate of successful vaccination; re-vaccination where first operation unsuccessful; certificate of unsusceptibility to successful vaccination	,, ss. 9 to 14.
What lymph to be used	,, s. 15.
No fee to be charged except by private vaccinator or beyond circle	,, s. 16.
Superintendent to make enquiries as to unvaccinated children and issue notice to parent or guardian; reference to Magistrate; his powers	,, ss. 17, 18.

4. Inoculation.

Prohibition of inoculation and entry of inoculated person into area subject to Act; penalty	,, ss. 6, 22.
Penalty for inoculation in Kumaon, Garhwal or Tarai Parganas or for entry of inoculated person therein; reward to informer	[2] Act 24, 1868.

5. Supplemental.

Power to make rules for enforcement of Act	Act 13, 1880, ss. 19 to 21,
Offences and penalties	,, s. 22.
Receipts and expenditure under Act in municipality to be credited and debited to Municipal Fund	,, s. 23.

II.—ASSAM[3] AND BENGAL.

1. Preliminary.

Ben. Act 4, 1865 (Inoculation)—	
applies to town of Calcutta, to Howrah and to suburbs of Calcutta	Ben. Act 4, 1865, s. 3.
may be extended by Local Government to other places	
declared in force in the Santhál Parganas	Reg. 3, 1872, s. 3 (am. Reg. 3, 1886).

[1] Act 13, 1880, applies *proprio vigore* to Assam and to Lower Burma, and has been extended to Upper Burma (except the Shan States) by notification under the Scheduled Districts Act, 1874.
[2] Act 24, 1868, has been extended to the Tarai Parganas by notification under the Scheduled Districts Act, 1874.
[3] Ben Acts 5, 1880, and 2, 1887, have been extended to Assam by notification under the Scheduled Districts Act, 1874.

VACCINATION—*cont.*

II.—ASSAM AND BENGAL—*cont.*

1. Preliminary—*cont.*

Ben. Act 5, 1880, applies to town and port of Calcutta and may be extended by Local Government to other areas; procedure for extension; power to suspend operation of Act in any place - - Ben. Act5, 1880, s.1 (am. Ben. Act2, 1890, s.2)

Definitions - - - - - - - - - - „ s.2 (am. as to Calcutta, Ben. Act2, 1890, s.4). Ben. Act2, 1887, s.2.

2. Vaccine-stations and Establishments.

Municipal Corporation of Calcutta to appoint public vaccine-stations, public vaccinators and establishments; notification of stations and time of vaccinator's attendance - - - - - - Ben. Act5, 1880, section 14.

Power of Municipal Corporation of Calcutta to make rules as to expenses, salaries and fees - - - - - - - „ s.15.

Health Officer for town of Calcutta to be *ex-officio* Superintendent of Vaccination; his powers and duties; his assistants - - - „ s.16.

Expenses to be defrayed by Municipal Corporation of Calcutta - „ s.17.

Powers, etc., of Municipal Corporation of Calcutta by whom to be exercised beyond Calcutta - - - - - - - „ s.25.

3. Vaccination of children.

Vaccination of children compulsory; service of notice by Superintendent of Vaccination - - - - - - - „ s.3, First Sch. (am. Ben. Act2 1887, s.3; Act5, 1897).

Inspection after vaccination; re-vaccination where first operation unsuccessful; certificate of temporary unfitness for vaccination - „ s.4 (am. Ben. Act2, 1887, s.4), ss.5, 10, Sch.A.

Certificate of successful vaccination - - - - - - „ ss.5, 7, Sch.C.

„ of insusceptibility to successful vaccination or of child having been successfully inoculated or having had small-pox - - - - - - - „ s.6, Sch.B.

No fee to be charged by public vaccinator except when vaccination performed beyond public vaccine-station - - - - „ ss.4, 8.

Order by Magistrate for vaccination; penalty for disobedience; award of costs where persons improperly summoned - - - „ s.26.

Registrar of Births to give notice to parent, etc., that child must be vaccinated - - - - - - - - „ s.18, Sch.E.

Vaccinators giving certificate under Act to parent or guardian to send copy to Registrar of Births; Registrar to report to Superintendent if certificates not sent - - - - - - „ ss.19, 23, Schs. A, B, C.

Registrar of Births to record notices of vaccination, etc. - - „ ss.20 to 22, Schs. A, B, C, F.

Power to transfer to another duties of Registrar of Births under ss. 19 to 23 - - - - - - - - „ s.24.

Superintendent of Vaccination to show, in annual return, number of children vaccinated, etc. - - - - - - „ s.32.

VACCINATION—*cont.*

II.—ASSAM AND BENGAL—*cont.*

4. Vaccination of unprotected persons.

Vaccination compulsory on service of notice from Superintendent of Vaccination or Health Officer of port of Calcutta; power of Health Officer to require vaccination of person suffering from small-pox on vessel arriving in that port	Ben. Act 5, 1880, secs. 11, 13 (am. Ben. Act 2, 1887, s. 5, Sch. D),
Occupier of house, vessel, etc., in town or port of Calcutta, suburbs of Calcutta or Howrah to allow access for ascertaining whether inmates protected; examination of females	,, s. 13A (ins. Ben. Act 2, 1887, s. 6).
Application of ss. 3 to 10 of Act to	,, s. 12,

5. Inoculation.

Penalty for producing small-pox by inoculation, etc.	Ben. Act 4, 1865, section 1.
,, on inoculated person entering area subject to Act	,, s. 2.
Application of certain provisions of Code of Criminal Procedure, etc., to offences against Ben. Act 4, 1865; reward to informer	,, s. 4 (am. Act 10, 1872, s. 2, Sch. V; Act 10, 1882, s. 3).

6. Supplemental.

Power to make rules for working of Act	Ben. Act 5, 1880, s. 33.
Continuance of prior rules and orders in Calcutta; power to alter or cancel them	Ben. Act 2, 1890, s. 5.
Penalty for not producing child before Magistrate	Ben. Act 5, 1880, section 27.
,, on unprotected person not submitting himself for vaccination or for inspection thereafter	,, s. 28(*a*), (*d*) [ad. Ben. Act 2, 1887, s. 7].
,, for not taking child to be vaccinated or inspected	,, s. 28(*b*),
,, for not giving certificate, or for making false certificate	,, s. 29.
,, for obstructing public vaccinator, or for vexatious entry by public vaccinator	,, ss. 29A, 29B (ins. Ben. Act 2. 1887, s. 8),
Limitation of prosecutions under s. 28	,, s. 23.
Cognizance of offences; authority for institution of prosecution	,, ss. 13, 30.
Production of certificate at trial	,, s. 31.
Fees in Calcutta to be paid to Municipal Corporation, and elsewhere to be appropriated as Local Government may direct	,, s. 5.
Vaccination to be carried on in Bengal by District Boards; their duties and powers; powers of Inspector of Vaccination appointed by Board; power of Commissioner to make rules for guidance of Board	Ben. Act 3, 1885, ss. 92 to 95.
Ss. 92 to 95 of Ben. Act 3, 1885, to form part of Ben. Act 5, 1880	,, s. 96.

III.—BOMBAY PRESIDENCY.[1]

1. Preliminary.

Procedure for applying Bom. Act 1, 1892, to local areas	Bom. Act 1, 1892, s. 2.
Power to suspend Act in, or withdraw Act from, local areas to which applied	,, s. 3.
Definitions	Bom. Act 1, 1877, s. 2. Bom. Act 4, 1879, s. 2. Bom. Act 1, 1892, s. 4.

[1] Bom. Act 1, 1877, applies to the City of Bombay and Bom. Act 4, 1879, to the town of Karachi. S. 33 of Bom. Act 1, 1892, applies to the whole of the Bombay Presidency, and the other sections of that Act may be applied to any area (other than the City of Bombay and the town of Karachi) by the Local Government.

VACCINATION—*cont.*

III.—BOMBAY PRESIDENCY—*cont.*

2. Vaccination-circles, etc., and Establishments.

Vaccination districts or circles - - - - -	Bom.Act1,1877,s.3. Bom.Act4,1879,s.3. Bom.Act1,1892,s.5.
Appointment of public vaccinators - - - - -	
„ of public vaccine-stations - - - -	
Notification of districts or circles, stations, and times of vaccinator's attendance - - - - - - -	
Public vaccinator to reside in his district or circle and post his name - - - - - -	Bom.Act1,1877,s.4. Bom.Act4,1879,s.4. Bom.Act1,1892,s.6.
„ „ to have certificate of qualification - - -	Bom.Act1,1877,s.5. Bom.Act4,1879,s.5. Bom.Act1,1892,s.7.
Superintendent of Vaccination : appointment, powers and duties of ; assistants to - - - - - - - -	Bom.Act1,1877,s.6. Bom.Act4,1879,s.6. Bom.Act1,1892,s.8.

Vaccination to be carried on under authority of Local Boards. *See* LOCAL SELF-GOVERNMENT, IV, 3.

3. Vaccination of children.

Vaccination of children compulsory ; inspection after vaccination ; re-vaccination where first operation unsuccessful ; certificate of temporary unfitness for vaccination - - - -	Bom. Act 1, 1877, s. 7, s. 8 (am. Bom. Act 3, 1882, s. 2), s. 9, Sch. A. Bom. Act 4, 1879, s. 7, s. 8 (am. Bom. Act 3, 1882, s. 2), s. 9, Sch. A. Bom. Act 1, 1892, ss. 9 to 11, Sch. A.
Certificate of successful vaccination - - - - -	Bom.Act1,1877,ss.9,11, Sch.C. Bom.Act4,1879,ss.9,11, Sch.C. Bom.Act1,1892,ss.11(2), 13,Sch.C.
„ of insusceptibility to successful vaccination or of child having had small-pox - - - - -	Bom.Act1,1877,s.10,Sch. B. Bom.Act4,1879,s.10,Sch. B. Bom.Act1,1892,s.12,Sch. B.
Order by Magistrate for vaccination ; penalty for disobedience ; award of costs where person improperly summoned - -	Bom.Act1,1877,s.21. Bom.Act4,1879,s.21. Bom.Act1,1892,s.23.
What lymph to be used - - - - - -	Bom.Act1,1877,s.12. Bom.Act4,1879,s.12. Bom.Act1,1892,s.14.
No fee to be charged by public vaccinator except when vaccination performed beyond public vaccine-station - - - -	Bom.Act1,1877,s.13. Bom.Act4,1879,s.13. Bom.Act1,1892,s.15.

VACCINATION—*cont.*

III.—BOMBAY PRESIDENCY—*cont.*

3. Vaccination of children—*cont.*

Registrar of Births to give notice to parent, etc., that child must be vaccinated	Bom.Act1,1877,s.14,Sch. D(am.Act16,1895). Bom.Act4,1879,s.14,Sch. D(am.Act16,1895). Bom.Act1,1892,s.16,Sch. D.
Vaccinator giving certificate under Act to parent or guardian to send copy to Registrar of Births; Registrar to report to Superintendent if certificates not sent	Bom.Act1,1877,ss.15,19, Schs.A,B,C. Bom.Act4,1879,ss.15,19, Schs.A,B,C. Bom.Act1,1892,ss.17,21, Schs.A,B,C.
Registrar of Births to record notices of vaccination, etc.	Bom.Act1,1877,ss.16to18, Schs.A,B,C,E. Bom.Act4,1879,ss.16to18, Schs.A,B,C,E. Bom.Act1,1892,ss.18to20, Schs.A,B,C,E.
Executive Health Officer or Registrar of Births to show, in annual abstract of births and deaths, number of children vaccinated, etc.	Bom.Act1,1877,s.30. Bom.Act4,1879,s.30. Bom.Act1,1892,s.31.

4. Vaccination of Prisoners.

Vaccination of certain prisoners and criminal lunatics under confinement compulsory	Bom.Act1,1892,s.33.

5. Inoculation.

Penalty for producing small-pox by inoculation, etc.	Bom.Act1,1877,s.20. Bom.Act4,1879,s.20.
„ on inoculated person entering area subject to Act	Bom.Act1,1892,s.22.

6. Supplemental.

Power to make rules for enforcement of Act	Bom.Act1,1877,s.31. Bom.Act4,1879,s.31. Bom.Act1,1892,s.32.
Provision of books and forms	Bom.Act1,1877,s.29. Bom.Act4,1879,s.29. Bom.Act1,1892,s.30.
Penalty for not producing child before Magistrate	Bom.Act1,1877,s.22. Bom.Act4,1879,s.22. Bom.Act1,1892,s.24.
„ „ not taking child to be vaccinated or inspected, or for preventing taking of lymph from child	Bom.Act1,1877,s.23(*a*),(*b*). Bom.Act4,1879,s.23(*a*),(*b*). Bom.Act1,1892,s.25 (*a*),(*b*).
„ „ not giving certificate, or for making false certificate	Bom.Act1,1877,ss.23 (*c*),24. Bom.Act4,1879,s.23 (*c*),24. Bom.Act1,1892,ss.25 (*c*),26.

VACCINATION—*cont.*

III.—BOMBAY PRESIDENCY—*cont.*

6. Supplemental—*cont.*

Penalty for illegally accepting fee - - - - - - Bom.Act1,1877,s.25. Bom.Act4,1879,s.25. Bom.Act1,1892,s.27.

Cognizance of offences; sanction to prosecution - - - Bom.Act1,1877,s.26. Bom.Act4,1879,s.26. Bom.Act1,1892,s.28.

Production of certificates at trial - - - - - Bom.Act1,1877,s.27. Bom.Act4,1879,s.27. Bom.Act1,1892,s.29.

Recovery of fines - - - - - - - Bom.Act1,1877,s.28 (am.Act16, 1895).

IV.—MADRAS PRESIDENCY.

Vaccination to be carried on under authority of Local Boards. *See* LOCAL SELF-GOVERNMENT, VI, 3, 7.

Vaccination in municipalities:

Madras Districts. *See* MUNICIPALITY, XII, 6 (*m*).

„ City. „ „ XIII, 6 (*k*).

VAGRANT (EUROPEAN).

Act 9, 1874, extends to whole of British India and to Native States - - - - - - Act9,1874,s.1.

„ „ declared in force in—

the Santhál Pargauas - - - - Reg.3,1872,s.3(am.Reg.3. 1886).

the Arakan Hill District - - - - Reg.9,1874,s.3.

Upper Burma generally (except the Shan States) - Act20,1886,s.6.

British Baluchistan - - - - Reg.1,1890,s.3.

Angul and the Khondmals - - - - Reg.1,1894,s.3.

„ „ certain section of, not to come into force in certain places till notified - - - - - - Act9,1874,section1.

Definitions - - - - - - - - - „ s.3.

Power of police to take vagrant before Presidency Magistrate or Justice of the Peace - - - - - - „ s.4.

Power of Magistrate or Justice of the Peace to make declaration of vagrancy and forward vagrant to workhouse or to place of probable employment - - - - - - „ ss.5to7,24.

Subsistence allowance to, while in charge of police or seeking employment - - - - - - - „ s.8.

Power of Magistrate or Justice of the Peace to give certificate exempting person from liability to be dealt with as - - „ s.9,Sch.I.

Power to invest certain persons with powers of Justice of the Peace - - - - - - - - - „ s.10.

Government workhouse:

Provision and superintendence of - - - - - „ ss.11,12.

Search of vagrant in; discipline - - - - - „ ss.13,14.

Punishment of vagrant in, refusing to accept outside employment, etc. - - - - - - - - „ ss.15,20.

VAGRANT (EUROPEAN)—*cont.*

Removal of, from India	Act9,1874,ss.16,17(pt. rep.Act1, 1879),18,21, 22,34,Sch.11,	
Penalties for offences by	,,	ss.15,19to23.
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Recovery and application of fines imposed under Act	,,	s.26(am.Act. 12,1891).
Conduct of prosecutions and jurisdiction of Magistrates or Justices under Act	,,	ss.27to29.
How far deprived of privileges of European British subject under Code of Criminal Procedure	,,	s.30.
Liability of importer of person who becomes	,,	s.31.
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VALUATION OF SUITS.

Act 7, 1887, ss. 3 to 6, extend only to notified areas	Act7,1887,section2.
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In certain cases value for computation of court-fees and value for purposes of jurisdiction to be the same	,, s.8.
Power of High Court in certain cases to determine value for all purposes	,, s.9.
Procedure where objection is taken on appeal or revision that suit or appeal was not properly valued for purposes of jurisdiction	,, s.11.
Recorder of Rangoon to be High Court for purposes of Act 7, 1887	Act11,1889,s.44.
For purposes of jurisdiction, in Madras Presidency	Act3,1873,section14(rep. locally,Act7,1887,s.6). Act7,1892,section9.

For computation of court-fees. *See also* COURT-FEES, 3.

VALUE; definitions of. *See* WORDS AND PHRASES.

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Restrictions on removal before trial of prisoners committed on criminal charge	31C.2,c.2,ss.8,17.[1]
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VESSEL; definitions of. *See* WORDS AND PHRASES.

VICE-ADMIRALTY COURT. *See* COLONIAL COURT OF ADMIRALTY AND VICE-ADMIRALTY COURT.

VILLAGE ACT (LOWER BURMA), 1889. (*See* VILLAGE, C) Act3,1889.

[1] These sections are indexed because they are published in the Collection of Statutes relating to India.

VILLAGE AND ROAD POLICE ACT (N.-W. PROVINCES AND OUDH), 1873. (*See* POLICE, III, F)		Act16,1873.
„ CESS ACT (MADRAS), 1893. [*See* VILLAGE, F, 1 (*a*)]		Mad.Act4,1893.
„ CHAUKIDARI ACT, 1870. (*See* POLICE, II, B)		Ben.Act6,1870.
„ OFFICERS ACT (SINDH), 1831. [*See* VILLAGE, B, 1 (*c*)]		Bom.Act4,1881.
„ POLICE ACT (BOMBAY), 1867. (*See* POLICE, III, B)		Bom.Act8,1867.
„ „ „ AMENDMENT ACT (BOMBAY), 1876. (*See* POLICE, III, B)		Bom.Act1,1876.
„ REGULATION (UPPER BURMA), 1887. (*See* VILLAGE, D)		Reg.14,1887.
„ SANITATION ACT (BOMBAY), 1889. (*See* VILLAGE, B, 2)		Bom.Act1,1889.
„ „ „ (CENTRAL PROVINCES), 1889. (*See* VILLAGE, E, 2)		Act19,1889.
„ „ „ (NORTH-WESTERN PROVINCES AND OUDH), 1892. (*See* VILLAGE, G, 2)		N.&O.Act2,1892.
„ „ REGULATION (AJMERE), 1895. (*See* VILLAGE, A, 2)		Reg.4,1895.

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1802. Mad. Reg. 25, s. 11 (Karnams, Madras).
„ Mad. Reg. 29 (Karnams, Madras).
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„ Bom. Act 3 (Hereditary Offices, Bombay).
1880. Act 2, s. 21 (Fines on Villagers, Lower Burma).
1881. Bom. Act 4 (Village-officers Sindh).
1882. Act 10, s. 45 (Criminal Procedure).
1886. Bom. Act 5 (Hereditary Offices, Bombay).
1887. Bom. Act 6 (Matadars, Bombay).
„ Reg. 14 (Villages, Lower Burma).
1889. Act 3 (Villages, Lower Burma).
„ Act 19 (Village Sanitation, Central Provinces).
„ Bom. Act 1 (Village Sanitation, Bombay).
1891. Reg. 4, s. 9 (Agror Valley).
1892. N. and O. Act 2 (Village Sanitation, North-Western Provinces and Oudh).
1893. Mad. Act 4 (Village-officers' Cess, Madras).
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„ Reg. 4 (Village Sanitation, Ajmere).

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B.—BOMBAY PRESIDENCY	**1. Village-officers.** (*a*) *Generally.* (*b*) *Watandars (Hereditary Village-officers).* (*c*) *Village-officers in Sindh.* **2. Sanitation.** **3. Miscellaneous.**
C.—LOWER BURMA	.....
D.—UPPER BURMA	.....
E.—CENTRAL PROVINCES	**1. Village-officers.** **2. Sanitation.**

VILLAGE—*cont.*

F.—MADRAS PRESIDENCY - - - - { 1. Village-officers. (*a*) *Generally.* (*b*) *Hereditary Village-officers.* (*c*) *Karnams.* 2. Miscellaneous.

G.—NORTH-WESTERN PROVINCES AND OUDH - - - - { 1. Village-officers. 2. Sanitation.

H.—OTHER PROVINCES - - - .....

GENERALLY.

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Village forests. *See* FOREST, 1, 2, 6, 7.

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A.—AJMERE.

1. Village-officers.

Village-officers; appointment, etc. of. *See* LAND-REVENUE, II, 5; PATWARIS AND KANUNGOS, I.

„ recovery of land-revenue through. *See* LAND-REVENUE, II, 4.

2. Sanitation.

Power of Local Government to make rules for regulating conservancy and water-supply, prohibiting public nuisances and otherwise improving sanitation - - - - - -	Reg.4,1895,s.3.
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B.—BOMBAY PRESIDENCY.

1. Village-officers.

(*a*) *Generally.*

Appointment, etc., of village-officers. *See* LAND-REVENUE, VII, A, 2.

(*b*) *Watandars* (*Hereditary Village-officers*).

Bom. Act 3, 1874, extends to regulation districts of Bombay Presidency - - - - - -	Bom.Act3, 1874,section1.
„ „ „ not to affect certain other laws - - -	„ ss.1,85.
„ „ „ ss. 24 to 62, do not apply to offices of lower degree	„ s.3.
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VILLAGE—*cont.*

B.—BOMBAY PRESIDENCY—*cont.*

1. Village-officers—*cont.*

(*b*) *Watandars* (*Hereditary Village-officers*)—cont.

Power of Collector to combine watans - - - - Ben.Act3,1874,sec.14(*1*).
" " commute service of watandars - - " ss.15(*1*),16.
" " determine amounts payable by watandars, and rights and duties of watandars, or to appoint panchayet to do so - - - - " ss.17to20.
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B.—BOMBAY PRESIDENCY—*cont.*

1. Village-officers—*cont.*

(*b*) *Watandars* (*Hereditary Village-officers*)—cont.

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(*c*) *Village-officers in Sindh.*

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B.—BOMBAY PRESIDENCY—*cont.*

2. Sanitation.

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Constitution of	„	ss. 8, 10.
Record of proceedings of	„	s. 9.
Power of, to make rules as to water-supply, cleansing, prevention of nuisances and insanitary acts, etc.	„	s. 11.
Procedure for making and suspending such rules	„	s. 12.
Prosecutions for breach of rules; appeals	„	ss. 13 to 15.
Power of, to spend money for sanitary measures; accounting for subscriptions; power to impose a rate	„	ss. 16 to 18.
Power of, to contribute towards cost of work undertaken by Local Board	„	s. 18(3).
Sanitary Boards:		
Constitution of	„	s. 19.
Record of proceedings of	„	s. 25.
To have powers and functions of Sanitary Committee	„	s. 20.
Sanitary Inspector and other officers for; appointment, etc., of	„	s. 21.
„ „ duties of	„	s. 22.
Prosecution, for breach of rules; appeals	„	ss. 23, 24.
Orders of, by whom to be executed	„	s. 25.
Power of, to make contracts and construct works	„	ss. 26, 27.
Provisions as to finance and taxation	„	ss. 28 to 30.
Sanitary Committees and Boards:		
Certain officials to advise	„	s. 31.
Removal of members; filling of vacancies	„	ss. 32, 33.
Decisions of, to be by majority of votes	„	s. 34.
Signing of summonses, etc., issued by	„	s. 35.
Penalty for breach of rules made by	„	s. 36.
Recovery of fines and taxes	„	ss. 37, 38.
Application of fines	„	s. 39.
Contributions and loans to, from Local Board	„	s. 40.
Relations of, to each other and to Local Boards	„	s. 41.
Power to place certain village-servants under authority of; recovery of dues of such servants	„	ss. 42, 43.
Miscellaneous Provisions:		
Delegation of Collector's functions	„	s. 44.
Control over Collectors, etc.	„	s. 45.
Indemnity for acts done in good faith	„	s. 46.

3. Miscellaneous.

Power to fine villagers when robbery committed in village; recovery of fine	Bom. Reg. 12, 1827,	s. 37 (1), (2) (am. Bom. Act 3, 1886, s. 2).
Bom. Reg. 12, 1827, s. 37 (1), (2), declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts	Act 15, 1874,	s. 5, Sch. III (am. Act 12, 1891).

See also FRONTIER, F; LAND, D (*b*).

VILLAGE—*cont.*

C.—LOWER BURMA.

Ss. 2 to 13 of Act 3, 1889, not to come into force till notified - Act3,1889,s.1.
Definitions - - - - - - - - - ,, s.2.
Headman; appointment of - - - - - - ,, s.3.
,, duties of - - - - - - Act10,1882,s.45(am.Act3, 1889,s.5). Act3,1889,s.6(am.Act11, 1894;Act18, 1895,s.1).
,, trial by, of petty criminal cases - - - - ,, s.7.
,, civil jurisdiction of - - - - - ,, s.10.
,, penalty for breach of duty, etc., by - - - ,, s.8.
,, obligation of villagers to assist - - - - ,, s.9.
,, protection of emoluments of - - - - ,, s.18.
,, restriction on prosecution of - - - - ,, s.19.
Control over settlement of strangers in village - - - ,, ss.11to13.
Power to require removal of resident from village - - - ,, s.16.
Penalty for holding, etc., unlicensed *pwé* - - - - ,, s.13A(ins.Act 18,1895,s.2).
Power to fine villagers accessory to crime - - - - Act2,1880,section21(rep. locally,Act3,1889,s.1). Act3,1889,sections14,15.
Recovery of fines - - - - - - - ,, s.17.
Revision of, and finality of, orders under Act 3, 1889 - - ,, s.20.
Delegation of Deputy Commissioner's powers - - - ,, s.21.
Power of Local Government to make rules - - - - ,, s.22.
Act 3, 1889, to take effect notwithstanding other enactments - ,, s.23.

D.—UPPER BURMA.

Definitions - - - - - - - - - Reg.14,1887,section2.
Construction of references to "Myothuggyi" or "Thuggyi" in past enactments and notifications - - - - - - ,, s.19.
Headman; appointment of - - - - - - ,, s.3.
,, ,, bar to jurisdiction of Civil Courts - - ,, s.16A(ins. Reg.4,1896, s.3).
,, duties of - - - - - - - - Act10,1882,s.45(am.Reg. 14,1887,s.4). Reg.14,1887,s.5(am.Reg. 4,1894;Reg. 4,1896,s.1).
,, trial by, of petty criminal cases - - - - ,, s.6.
,, civil jurisdiction of - - - - - ,, s.8A(ins.Reg. 1,1891, s.11).
,, police powers and privileges of - - - - ,, s.8B(ins.Reg. 4,1896, s.2).
,, penalty for breach of duty, etc., by - - - ,, s.7.
,, obligation of villagers to assist - - - - ,, s.8.
,, protection of emoluments of - - - - ,, s.16B(ins.Reg. 4,1896, s.3).

VILLAGE—*cont.*

D.—UPPER BURMA—*cont.*

Power to fine villagers accessory to crime - - - - Reg.14,1887,secs.9,10.
Control over settlement of strangers in village - - - „ ss.11,12, 14(*1*).
Power to require removal of resident from village - - - „ ss.13,14(*2*).
Recovery of fines - - - - - - - - „ s.15.
Revision of, and finality of, orders under Reg. 14, 1887 - - „ s.16(am.Reg. 1,1891,s.12).
Delegation of Deputy Commissioner's powers - - - „ s.16C(ins.Reg. 4,1896, s.3).
Power of Local Government to make rules - - - - „ s.17(am.Reg. 1,1891, s.13).
Reg. 14, 1887, to take effect notwithstanding other enactments - „ s.18.
Villages in hills. *See* CHIN HILLS; KACHIN HILLS.

E.—CENTRAL PROVINCES.

1. Village-officers.

Appointment, etc., of village-officers. *See* LAND-REVENUE, XI, 4 (c).

2. Sanitation.

Power to declare village to be in insanitary state and apply Act thereto - - - - - - - - - Act19,1889,section2.
Panchayet; formation of - - - - - - - „ s.3.
„ to raise, by tax, funds for cleansing, conservancy, water-supply, etc. - - - - - - - „ ss.4,5.
Power of Local Government to make rules as to panchayet, tax and conservancy, and for prohibiting public nuisances, etc. - - „ s.6(*1*),(*2*).
Recovery of arrears of tax - - - - - - - „ s.6(*3*).
Power to withdraw Act and transfer funds to District Council or Local Board - - - - - - - - „ s.7.
Exclusion of authority of District Council and Local Board while Act in force - - - - - - - - „ s.8.

F.—MADRAS PRESIDENCY.

1. Village-officers.

(*a*) *Generally.*

Power to extend Mad. Act 2, 1894, to any estate and to village accountants, village headmen and village watchmen or police-officers - - - - - - - - - Mad.Act2,1894,section2.
Definitions - - - - - - - - - „ s.4(am.Mad.Act 3,1895,s.2).
Register of establishments - - - - - - - „ ss.5,31.
Number of officers for village - - - - - - „ s.7.
Division or grouping of villages, and appointment of village-officers for new villages so formed - - - - - - „ ss.6,15(am.Mad. Act3,1895,s.2).
Power of proprietor, Collector or Revenue-officer to fine, suspend or dismiss village-officers - - - - - - - „ s.16.
Filling of vacancies - - - - - - - „ ss.8to14,31.

VILLAGE—*cont.*

F.—MADRAS PRESIDENCY—*cont.*

1. Village-officers—*cont.*

(*a*) *Generally*—cont.

Village-service cess :		
Imposition of	Mad. Act 2, 1894,	section 19.
Rate of	Mad. Act 2, 1894,	section 19.
„ ascertainment of annual rent-value of lands for purpose of settling ; appeal	„	ss. 20 to 24, 31.
Payment of, by proprietor ; recovery of part of, by proprietor from tenants	„	s. 25.
Increase and reduction of permanent assessment, in connection with charges for maintenance of village-officers	„	s. 27.
Power to enfranchise village-service inams by imposition of quit-rent	„	s. 17.
Collection and recovery of such quit-rent	„	s. 18.
Village Service Fund :		
Constitution of	„	s. 28.
Application of	„	ss. 6(3), 29.
Prohibition of levy of fees, contributions, etc.	„	s. 30.
Power of Board of Revenue to make rules for working of Mad. Act 2, 1894	„	s. 32.
Bar to jurisdiction of Civil Courts in certain matters	„	s. 33.
Appeals to be transferred to Board of Revenue in certain cases	„	s. 34.
Power of Board of Revenue to make rules as to publication of administration reports under Mad. Act 2, 1894	Mad. Act 3, 1895,	s. 20(ix).
Mad. Act 4, 1893 : to what districts it applies	Mad. Act 4, 1893,	s. 2.
„ „ „ applies to Village Munsifs, Village-police and certain other village-officers	„	s. 5.
Cess for remuneration of village-officers :		
Imposition and payment of	„	s. 7.
Rate of	„	s. 9.
Right of landholders to recover part of, from tenants	„	s. 7.
Village Service Fund ; constitution and application of	„	ss. 7, 8.
Validation of past imposition and appropriation of cesses	„	s. 4.
Prohibition of levy of fees, contributions, etc.	„	s. 6.
Power of Board of Revenue to make rules as to publication of administration reports under Mad. Act 4, 1893	Mad. Act 3, 1895,	sec. 20(ix).

(*b*) *Hereditary Village-officers.*

To what village officers Mad. Act 3, 1895, applies (police-officers included)	„	s. 3.
Definitions	„	s. 4.
Re-grouping of villages, and appointment of hereditary village-officers for the new villages so formed	„	s. 6.
Power of Collector, Tahsildar or proprietor to fine, suspend or dismiss certain officers	„	ss. 7 to 9.
Delegation to District Superintendent or Assistant Superintendent of Police of power of punishing village watchmen or police-officers	„	s. 26.
Filling of vacancies	„	ss. 10 to 12.
Suits for office or emoluments :		
Power to sue	„	s. 13.
Limitation of	„	s. 14.

VILLAGE—*cont.*

F.—MADRAS PRESIDENCY—*cont.*

1. Village-officers—*cont.*

(*b*) *Hereditary Village-officers*—cont.

Suits for office or emoluments—*cont.*:		
Transfer of	Mad. Act 3, 1895,	section 15.
Procedure in	„	s.16.
Costs	„	s.17.
Execution of decrees and orders		
Reference of questions of law to Board of Revenue	„	s.18.
Bar to alienation of emoluments of	„	s.5.
Power of Board of Revenue to make rules as to working of, and publication of administration reports under, Mad. Act 3, 1895	„	s.20.
Bar to jurisdiction of Civil Courts in certain matters	„	s.21.
Mad. Act 3, 1895, not to affect certain other laws or offices	„	s.22.
Appeals from orders	„	ss.23,24.
Application of ss. 5, 12 of Act 15, 1877 (Limitation)	„	s.25.

(*c*) *Karnams.*

Mad. Regs. 25 and 29 of 1802 declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts	Act 15, 1874, s.4.
Appointment, maintenance and control of, by landholders	Mad. Reg. 25, 1802, s.11.
Appointment of, by proprietors of land, under penalty	Mad. Reg. 29, 1802, ss.2,3,10.
Dismissal of, by sentence of Court	„ s.5.
Filling of vacancies in office of	„ s.6.
Office of, hereditary	„ s.7.
List of	„ s.8.
Reductions in number of	„ s.9.
Duties of, as to keeping registers, etc.	„ ss.11,12.
When Collectors may demand accounts or returns from	„ ss.13,14.
Attendance of, how secured by Court or Collector	„ ss.15,16.
May be compelled to swear to truth of accounts, etc.	„ s.17.
Penalties for delivering false accounts, etc.	„ ss.18,19.
Mad. Reg. 29, 1802, and s. 11 of Mad. Reg. 25, 1802, repealed as regards the office of village accountant in estates to which Mad. Act 2, 1894 [*see above*, (*a*)], is extended	Mad. Act 2, 1894, s.3.
„ „ „ repealed in areas which are not permanently-settled proprietary estates	Mad. Act 3, 1895, s.2.

2. Miscellaneous.

Mad. Reg. 11, 1816, ss. 8, 9, 10, 11 (*l*), 13, 14, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts	Act 15, 1874, s.4.
Headmen to co-operate with each other for apprehension of offenders, etc.	Mad. Reg. 11, 1816, s.8.
„ to report to police arrival of suspicious strangers	„ s.9.
„ jurisdiction of, to punish petty offenders; report to police	„ ss.10,14. Mad. Reg. 4, 1821, s.6.
„ power of, to search for and seize stolen property	Mad. Reg. 11, 1816, s.11(*l*).
„ „ to hold inquests	„ s.13.
Power of Board of Revenue to make rules to enhance the efficiency of the village service	Mad. Act 2, 1894, s.32(x). Mad. Act 3, 1895, s.20(x).

VILLAGE—*cont.*

G.—NORTH-WESTERN PROVINCES AND OUDH.

1. Village-officers.

See PATWARIS AND KANUNGOS, III.

2. Sanitation.

Power to enquire into and take action to improve water-supply - N.andO.Act2,1892,ss.4to16.
N. and O. Act 1, 1892, ss. 4 to 15, not to apply till notified - - „ s.3
Power to take special measures to prevent outbreak of infectious disease - - - - - - - - „ ss.17to19.
Power of Local Government to make rules for working of Act - „ s.20.
Recovery of sums due under Act - - - - - - „ s.21.

H.—OTHER PROVINCES.

Bengal:
Village accounts. *See* LAND-REVENUE, IV, 5
Patwaris and Kanungos. *See* PATWARIS AND KANUNGOS, II.
Santhál Parganas:
Demarcation of villages; claims to office of headman; village records. *See* LAND-REVENUE, IV, 3 (*a*) (Santhál Parganas).
Coorg:
Rate on land for remuneration of village-officers. *See* LAND-REVENUE, XII, 3.
Punjab.
Appointment, etc., of village-officers. *See* LAND-REVENUE, XVII, 4 (*c*).
Appointment and remuneration of headmen in Agror Valley - Reg.4,1891,s.9.
See also FRONTIER, E, 2.

VILLAGE COURTS ACT (MADRAS), 1889 - - - - Mad.Act1,1889.
„ „ „ (N.-W. PROVINCES AND OUDH), 1892 - N.andO.Act3,1892.

VILLAGE COURTS.

I.—MADRAS PRESIDENCY.

A.—PANCHAYETS FOR TRIAL OF CIVIL CAUSES.

Mad. Reg. 5, 1816, and Act 8, 1840, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts - - - - - - - - - Act15,1874,s.4.
Power of Village Munsif to summon panchayet for decision of suits of any value on agreement of parties - - - - Mad.Reg.5,1816,section2.
Panchayet; suits for personal damages not to be referred to - - „ s.12.
„ constitution of - - - - - - „ s.3.
„ penalty for not serving on - - - - „ s.3(2).
„ procedure of; attendance of parties before; attendance and examination of witnesses - - - - „ ss.4,5.
„ proceedings of, by whom to be written - - - „ s.10.
„ suits tried by, exempt from charges - - - „ s.12(pt.rep. Act7,1870).
„ decision of, to be by majority of votes - - - „ s.3(1)
„ decree of - - - - - - - „ ss.6to9 Act8,1840
„ „ execution of, by Munsif or District Judge - Mad.Reg.5,1816,ss.16,17.
„ „ no appeal allowed from, but party complaining of gross partiality may petition District Judge „ s.11.
„ prosecution of member of, for corruption - - „ s.18.

VILLAGE COURTS—*cont.*

I.—MADRAS PRESIDENCY—*cont.*

A.—PANCHAYETS FOR TRIAL OF CIVIL CAUSES—*cont.*

Copy of Mad. Reg. 5, 1816, to be kept by village karnam - - Mad. Reg. 5, 1816, s. 20.
Code of Civil Procedure not to affect jurisdiction or procedure of Panchayets for trial of suits as to land or crops. *See* PANCHAYET. - Act 14, 1882, s. 6(*e*).

B.—MUNSIFS.

1. Preliminary.

Mad. Act 1, 1889, extends to whole of Madras Presidency except the Scheduled Districts and Madras Town - - - Mad. Act 1, 1889, sec. 1(2).
Power to withdraw Act from local areas; transfer of pending suits - - - - - - - - - ,, ,, ss. 1(2), 4.
Definitions - - - - - - - - - ,, s. 5.

2. Constitution and Jurisdiction.

Establishment of Courts - - - - - - - ,, s. 6.
Appointment, etc., of Village Munsifs - - - - - ,, ss. 7, 8.
Benches of Munsifs - - - - - - - - ,, ss. 1(*1*), 9.
Suits cognizable - - - - - - - - ,, ss. 13, 14.
Transfer of suits - - - - - - - - ,, s. 21.

3. Procedure.

Place of suing - - - - - - - - ,, s. 15.
Res judicata - - - - - - - - ,, s. 17.
Suit to include the whole claim - - - - - - ,, s. 18.
Incidental determination of matters not cognizable by Village Court ,, s. 19.
Limitation; application of Indian Limitation Act, 15 of 1877 - ,, s. 20.
Plaint - - - - - - - - - ,, ss. 22, 23.
Register of suits - - - - - - - - ,, s. 10.
Appearance in person or by agent - - - - - - ,, s. 24.
Summons to defendant - - - - - - - ,, ss. 25 to 29.
Appearance of parties, and consequences of non-appearance - - ,, ss. 28, 30 to 34.
Hearing, withdrawal and compromise of suits - - - ,, ss. 35 to 37.
Set-off - - - - - - - - - ,, s. 38.
Witnesses; summoning and examination of - - - - ,, ss. 39 to 43.
Adjournments for amicable settlement, etc. - - - - ,, s. 44.
Decree - - - - - - - - - ,, ss. 45 to 47.
,, interest allowable by - - - - - - - ,, s. 47.
,, execution of - - - - - - - - ,, ss. 48 to 67.
Death of party; effect of - - - - - - - ,, ss. 68 to 72.
Revision by District Munsif; report by him to District Judge - ,, ss. 73, 74.
Procedure of Benches - - - - - - - ,, s. 96.
Village karnam to assist in keeping register of suits and records - ,, s. 10.
Village servant to serve summonses, etc., and seize, etc., property - ,, s. 11.
Power to appoint other persons to perform duties of village karnam and servant under ss. 10, - - - - - - ,, s. 12.

4. Miscellaneous.

Village Munsif not to try suit in which he is personally interested - ,, s. 16.
Power of High Court to prescribe forms and returns - - - ,, s. 75.
,, District Judge and District Munsif to inspect registers and records - - - - - - - -

VILLAGE COURTS—*cont.*

I.—MADRAS PRESIDENCY—*cont.*

B.—MUNSIFFS—*cont.*

4. Miscellaneous—*cont.*

Code of Civil Procedure not to affect jurisdiction or procedure of Village Munsiffs - - - - - - - - Act 14, 1882, s. 6(c).

II.—NORTH-WESTERN PROVINCES AND OUDH (MUNSIFFS).

1. Preliminary.

N. and O. Act 3, 1892, extends to whole of N.-W. Provinces and Oudh and may be applied to any district or part thereof by notification - N. and O. Act 3, 1892, ss. 1, 3.
Power to withdraw Act from local areas; transfer of pending suits - „ ss. 78, 79.
Definitions - - - - - - - - - „ s. 2.

2. Constitution and Jurisdiction.

Establishment of Courts - - - - - - - „ s. 4.
Appointment, etc., of Village Munsiffs - - - - - „ ss. 5, 6.
Suits cognizable - - - - - - - - „ ss. 9, 10, 17.
Transfer of suits - - - - - - - - „ s. 18.

3. Procedure.

Place of suing - - - - - - - - „ s. 11.
Res judicata and pending suits - - - - - - „ s. 13.
Suit to include the whole claim - - - - - - „ s. 14.
Incidental determination of matters not cognizable by Village Court - - - - - - - - - „ s. 15.
Limitation - - - - - - - - - „ s. 16, Sch.
Plaint - - - - - - - - - „ ss. 19 to 22.
Record of proceedings and register of suits - - - - „ s. 7.
Appearance in person or by agent - - - - - „ s. 23.
Summons to defendant - - - - - - - „ ss. 24 to 27.
Appearance of parties, and consequences of non-appearance - - „ ss. 27 to 32.
Hearing, withdrawal and compromise of suits - - - „ ss. 33 to 35.
Set-off - - - - - - - - - „ s. 36.
Witnesses; summoning and examination of - - - - „ ss. 37 to 42.
Adjournments for amicable settlement, etc. - - - - „ s. 43.
Decree - - - - - - - - - „ ss. 44 to 46.
„ interest allowable by - - - - - - - „ s. 46.
„ execution of - - - - - - - - „ ss. 47 to 67.
Death of party; effect of - - - - - - - „ ss. 68 to 72.
Revision by District Judge - - - - - - - „ s. 73.
Chaukidar to serve summonses, etc., and seize, etc., property - „ s. 8.
Employment of persons to assist Munsiffs in keeping records, etc. - „ ss. 7, 8.
Fees chargeable - - - - - - - - „ s. 74.
Prepayment of postage - - - - - - - „ s. 75.

4. Miscellaneous.

Village Munsiff not to try suit in which he is personally interested - „ s. 12.
Power of Local Government to—
prescribe forms and returns - - - - - - „ s. 76 (am. N. & O. Act 2, 1894, s. 2).
make rules as to custody and destruction of records - - „
Power of District Judge to inspect registers and records - - „

VILLAGE COURTS—*cont.*

II.—NORTH-WESTERN PROVINCES AND OUDH (MUNSIFFS)—*cont.*

4. Miscellaneous—*cont.*

Power of Local Government to make other rules - - - N.andO.Act3,1892,s.77.
Bar to application of Acts 7, 1870 (Court-fees), 14, 1882 (Code of Civil Procedure), and 9, 1887 (Provincial Courts of Small Causes) „ s.80.

III.—IN DEKKHAN (MUNSIFFS).

See DEKKHAN AGRICULTURIST, 2.

VIZAGAPATAM. *See* GANJAM AND VIZAGAPATAM.

VOLUNTARILY; definitions of. *See* WORDS AND PHRASES.

VOLUNTEERS ACT (INDIAN), 1869 - - - - - Act20,1869.
„ „ AMENDMENT ACT (INDIAN), 1896 - - - Act10,1896.

VOLUNTEER.

Act 20, 1869, extends to whole of British India and, as regards British subjects, to Native States - - - Act20,1869,s.2.
„ „ declared in force in—
the Santhál Parganas - - - - Reg.3,1872,s.3(am.Reg.3, 1886).
Upper Burma generally (except the Shan States) - Act20,1886,s.6.
British Baluchistan - - - - Reg.1,1890,s.3.
Definitions - - - - - - - - Act20,1869,s.4(am.Act10, 1896,s.2).
Formation and dissolution of corps, etc.:
Power to form corps - - - - - - „ s.5.
Evidence of enrolment - - - - - - „ s.6.
Power to disband corps or remove member - - - „ s.7.
Withdrawal from corps - - - - - - „ ss.13(am.Act 10,1896,s.5), 14,15.
Local limits of service - - - - - - „ s.16(am.Act 10,1896,s.6). Act10,1896,s.9.
Offer by, for actual military service - - - - - „ s.8.
Power of Governor General in Council—
to call out corps for actual military service - - - Act20,1869,s.27(ad.Act 10,1896,s.7). Act10,1896,s.9.
to make rules as to pay, pension, etc., for volunteers so called out, and to apply such rules to volunteers called out in aid of the civil power - - - - - - Act20,1869,s.28(ad.Act 10,1896,s.7).
Power of Commanding Officer to make rules - - - „ s.17.
To be subject to Army Act for offences committed while on duty, so far as it applies to officers - - - - - - „ s.8(am.Act 10,1896,s.3).
Application of Army Act to - - - - - - 44-5V.c.58,s.177.
Penalties for certain offences by - - - - - Act20,1869,ss.18to21.
Courts-martial for trial of offences committed while on duty - „ ss.9to12(am. Act10,1896, s.5).
Recovery of fines imposd on - - - - - „ s.22(am.Act 12,1891)

VOLUNTEER—*cont.*
Power of, to disarm certain persons and apprehend them - - Act20,1869,s.23.
„ to prevent disturbance of public peace - - - „ s.24.
Power and duty of, to disperse unlawful assembly - - - „ s.24. Act10,1882,s.130.
Power of, to apprehend person suspected of offence against the State - Act20,1869,s.24.
Exemption of—
from prohibitions in Arms Act - - - - - Act11,1878,s.1(*b*).
from municipal taxes. *See* MUNICIPALITY, I.
Exempted from horse-tax - - - - - - Act20,1869,section25.
Power to declare what Local Government shall be deemed to be the Local Government in respect of corps consisting of volunteers enrolled in more than one province - - - - „ s.29(ad.Act 10,1896,s.7).
Suits, etc., for things done under Act: notice of; tender of amends - „ s.26(pt.rep. Act9,1871).

WAGER.
Contracts of, void - - - - - - - - Act9,1872,s.30. Bom.Act3,1865,ss.1to3.

WAGERING. *See* GAMING.

WAGES OF SEAMEN. *See* MERCHANT SHIPPING, 2 (*e*), (*f*).

WARANGAON PARGANA. *See* DEKKHAN, ETC., 3.

WAREHOUSE. *See* CUSTOMS (SEA), 2 (*c*); EXCISE, 2, 3; FIRE, 2; SALT, III, 2; IV, 2, 3; TOBACCO.

WAR-KNIVES.
In Malabar district; control over use of. *See* ARMS, 4.

WARRANTY.
Of land, by tenant for life, void against remainderman - -
„ by collateral warrant of ancestor having no estate of inheritance in possession, void against heir - - - 45A.c.3,s.21.[1]
On sale of goods - - - - - - - - Act9,1872,ss.109to118.
Implied, on sale of marked goods - - - - - Act4,1889,s.17.
Of solvency; limitation of, on transfer of debt - - - Act4,1882,s.134.

WASHING PLACES.
Regulation of. *See cross-references from* BATHING AND WASHING PLACES.

WASIKAS ACT (OUDH), 1886 - - - - - - Act21,1886.

WASTE.
Between joint tenants and tenants in common - - - 13Ed.1(*Stat. Westm. sec.*),c.22.[1]

WASTE LAND.
Act 23, 1863, declared in force—
throughout British India, except as regards the Scheduled Districts - - - - - - - - Act15,1874,s.3.
in the Arakan Hill District - - - - - Reg.9,1874,s.3.
Claims to waste land proposed to be sold or otherwise dealt with on account of Government, and objections taken to such sale, etc.:
Enquiry by Collector: his powers and procedure; report to, and decision by, Board of Revenue - - - - Act23,1863,ss.1to5(p).rep. Act9,1871.

[1] This enactment is indexed because it is published in the Collection of Statutes relating to India.

WASTE LAND—*cont.*
Claims to waste land proposed to be sold or otherwise dealt with on account of Government, and objections taken to such sale, etc.—*cont.*:
Enquiry by special Court:
Reference to Court — Act 23, 1863, section 6.
Constitution of Court — „ s.7.
Notice of constitution of Court; bar to jurisdiction of other Courts — „ s.8.
Procedure; application of Code of Civil Procedure, with modifications — „ s.s.9 to 13.
Bar to appeal and revision — „ s.14.
Reference of case to High Court — „ ss.15,16.
Records of Court where to be kept — „ s.17.
Limitation of claims; reference to Special Court of claim or objection made within time — „ s.18.
Where claim established, claimant to receive compensation — „ ss.19 to 21.
Power of Local Government to award compensation independently of Act — „ ss.22,23.
In Agror Valley; classification of, and record-of-rights in — Reg.4,1891,s.8.
See also FOREST, 2.

WATANDAR. *See* VILLAGE, B, 1 (*b*).

WATCHMEN. *See* POLICE, II.

WATER.
Definitions of "water," "water-course," etc. *See* WORDS AND PHRASES.
Penalty for fouling — Act 45, 1860, s.277.
Rights of Government as to, in Angul — Reg.1,1894,s.33.
All water not the property of others declared to belong to Government; saving of private rights, etc.; disposal of such water — Bom.Act 5, 1879, section 37.
Fixing and recovery of rates for use of Government water, where no rate leviable under Bombay Irrigation Act, 1879 — „ ss.55,101 (am.Bom. Act 7, 1879, s.2).
Power to make rules as to water-supply in cantonments — Act 13, 1889, s.26 (*19*).
Water-supply to be under authority of Local Self-government Boards:
Ajmere. *See* LOCAL SELF-GOVERNMENT, II, 3.
Bengal. „ „ „ III, 3, 5.
Bombay. „ „ „ IV, 3.
C. P. „ „ „ V, 3.
Mad. „ „ „ VI, 3.
N.-W. P. & Oudh. „ „ „ VII, 3.
Punjab. „ „ „ VIII, 3.
Provision and regulation of water-supply in municipalities:
Aj., L. B., C. P. *See* MUNICIPALITY, II, 6 (*j*).
U. B. „ „ III, 6.
As. „ „ IV, 6 (*k*); V, 6 (*k*).
Ben. Districts. „ „ V, 6 (*k*).
Cal. „ „ VI, 6 (*k*).
Bom. Districts. „ „ VII, 6 (*j*).
„ City. „ „ VIII, 6 (*i*).
Coorg and N.-W. P. „ „ IX, 6.
N.-W. P. & Oudh „ „ X, 6 (*c*); XI, 2.
Mad. Districts. „ „ XII, 6 (*j*).

WATER—*cont.*
Provision and regulation of water-supply in municipalities—*cont.*:
Mad. City. *See* MUNICIPALITY, XIII, 6 (*i*).
Punjab. „ „ XIV, 6 (*j*).
Water-supply in villages:
Ajmere. *See* VILLAGE, A, 2.
Bombay. „ „ B, 2.
Central Provinces. „ „ E, 2.
North-Western Provinces. „ „ G, 2.
See also BATHING AND WASHING PLACES; CANAL; DRAINAGE; IRRIGATION; EMBANKMENT; FISHERY; FOREST, 1; IRRIGATION; LAND (INDIAN LAW) B.
See also cross-references from RIVER.

WATER-WORKS ACT (N.-W. PROVINCES AND OUDH), 1891. (*See* MUNICIPALITY, XI)	N.andO.Act1,1891.
„ „ (RANGOON), 1884. [*See* MUNICIPALITY, II, 6 (*j*)]	Act19,1884.
WEIGHTS AND MEASURES OF CAPACITY ACT (INDIAN), 1871	Act31,1871.
WEIGHTS AND MEASURES.	
Act 31, 1871, does not come into practical operation until certain notifications have been published and other action taken by Government [1]	Act31,1871,ss.4to8,10to12,17.
Standards	„ ss.2to7.
Use of new weights and measures	„ ss.8,9.
Wardens for custody of standards, etc.; appointment, powers and duties of	„ ss.10,11,14.
Rules: power of Governor General in Council to make; enforcement of	„ ss.11to13.
Power to prepare tables of equivalents	„ s.17.
Delegation of warden's powers	„ s.15.
Penalty for counterfeiting mark used by warden	„ s.16.
Act 2, 1889, to come into force on day appointed by Governor General in Council	Act2,1889,s.1(3).
Adoption of English standard yard; custody of approved copy	„ ss.2,3.
Standard foot and inch	„ s.4.
Certified measures to be kept by certain officials	„ s.7.
„ „ presumption in favour of accuracy of	„ s.5.
„ „ right of public to inspect	„ s.6.
Punishment for fraud in connection with	Act45,1860,ss.264to267.
Commissioner of Police to keep standard weights and measures	(Cal.)Ben.Act4,1866,s.55. (Mad.City)Mad.Act3, 1888,s.32.
District Magistrate „ „ „ „	Bom.Reg.12,1817,s.20 (am.Bom.Act3, 1886,s.2).
Inspection by police of weights, measures and instruments for weighing, and seizure of false ones	Act10,1882,s.153. (Bom.Town)Act48,1860, s.18(am.Bom. Act4,1882). (Cal.)Ben.Act4,1866,s.56. (Mad.City)Mad.Act3, 1888,s.33.

[1] The Act has not yet been brought into practical operation.

WEIGHTS AND MEASURES—*cont.*

Destruction of false weights and measures - - - - (Bom.Town)(Act48,1860) s.18(am.Bom. Act4,1882). (Mad.City)Mad.Act3, 1888,s.32.

On board ship - - - - - - - - 57-8V.c.60,s.201. Act1,1859,s.68.

Regulation of, in municipalities:

C. P.	*See* MUNICIPALITY,	II, 6 (*t*).
Cal.	„ „	VI, 6 (*t*).
Bom. City.	„ „	VIII, 6 (*r*).
Mad. Districts.	„ „	XII, 6 (*v*).
„ City.	„ „	XIII, 6 (*s*).

WHIPPING.

Imposition of sentence of. *See* CRIMINAL LAW (INDIAN), 2.

Execution of sentence of. *See* CRIMINAL PROCEDURE (INDIAN), 9 (3).

How to be inflicted in prison - - - - - Act9,1894,s.53.

WILD BIRDS' PROTECTION ACT, 1887. (*See* GAME) - - - Act20,1887.

WILLS ACT, 1861.[1] (*See* DOMICILE; SUCCESSION) - - - 24-5V.c.114.

WILLS AND INTESTACY REGULATION (BENGAL), 1799.[2] (*See* ADMINISTRATION OF ESTATES) - - - - - Ben.Reg.5,1799.

WILL.

Definitions of. *See* WORDS AND PHRASES.

See also SUCCESSION, 6, 8.

WINDING UP.

Of Company. *See* COMPANY.

„ partnership. *See* PARTNERSHIP.

WITNESS.

Power of Revenue-authorities to award charges to - - Ben.Reg.9,1825.

Attendance and examination of,—

before Civil Courts. *See* CIVIL PROCEDURE, 2.

before Criminal Courts. *See* CRIMINAL LAW AND PROCEDURE (ENGLISH); CRIMINAL PROCEDURE (INDIAN).

before Bengal or Bombay Legislative Council. *See* GOVERNMENT OF INDIA, 2 (*c*).

Examination of, by Police. *See* CRIMINAL PROCEDURE (INDIAN), 7.

See also CORONER; EVIDENCE, II, 5; JUDICIAL COMMITTEE, 2 (*c*); RECUSANT WITNESS.

WOMAN.

Employment of, in factory. *See* FACTORY.

See also HINDU WIDOW; MARRIED WOMAN.

WORDS AND PHRASES:

"ABDUCTION" defined - - - - - - - Act45,1860,s.362.

"ABET" defined - - - - - - - - Act10,1897,s.3(*1*). Bom.Act3,1886,s.3(*15*). Mad.Act1,1891,s.3(*1*). N.&O.Act1,1887,s.2(*9*).

[1] This short title was given by 59 & 60 Vict. c. 14.
[2] This short title was given by Act 5, 1897, s. 4.

WORDS AND PHRASES—*cont.*:

"ABETMENT" defined - - - - - - Act45,1860,s.107.

"ABETTOR" defined - - - - - - Act45,1860,s.108.

"ABKARI INSPECTOR" defined - - - - - Mad.Act1,1886,s.3(*5*).

"ABKARI OFFICER" defined. (*See also* EXCISE OFFICER) - { Bom.Act5,1878,s.3(*2*). Mad.Act1,1886,s.3(*2*).

"ABKARI-REVENUE" defined - - - - - { Bom.Act5,1878,s.3(*1*). Mad.Act1,1886,s.3(*1*).

"ABSOLUTE OCCUPANCY-TENANT" defined - - - - { Act18,1881,s.4(*16*). Act9,1883,s.36.

"ACCEPTANCE" defined. *See* QUALIFIED ACCEPTANCE.

"ACCEPTOR" defined - - - - - - Act26,1881,s.7.

"ACCEPTOR FOR HONOUR" defined - - - - { Act26,1881,s.7(am.Act2, 1885,s.2).

"ACCESSORY LICENSE" defined - - - - - Act5,1882,s.55.

"ACCESSORY RIGHT" defined - - - - - Act5,1882,s.24.

"ACCOUNTANT" defined. (*See also* PUBLIC ACCOUNTANT) - Reg.1,1894,s.10(*j*).

"ACCUSED PERSON" defined - - - - - - 33-4V.c. 52, s. 26.

"ACQUITTAL" defined - - - - - - Act10,1882,s.403,*Expln.*

"ACT" defined. (*See also* BENGAL ACT; BOMBAY ACT; MADRAS ACT; N.-W. PROVINCES AND OUDH ACT) - { Act45,1860,s.33. Act10,1897,s.3(2).

"ACT OF TRESPASS" defined - - - - - Act15,1882,s.46.

"ACTION" defined. (*See also* FLUVIAL ACTION) - - - { 22-3V.c.63,s.5. 24V.c.11,s.4.

"ACTIONABLE CLAIM" defined - - - - - Act4,1882,s.130.

"ACTIVE SERVICE" defined - - - - - { 44-5V.c.58,s.189(*1*). Act5,1869,Part1,cl.(*e*)(*14*). (ins.Act12,1894,s.4). Act15,1887,s.3(2). Act5,1892,s.2(*2*). Reg.3,1881,s.2. Reg.4,1890,s.3(*2*).

"ACTUAL INVENTOR" defined - - - - - Act5,1888,s.4(*5*).

"ACTUAL PRODUCE" defined - - - - - Ben.Reg.1,1801,s.8.

"ACTUAL PROPRIETOR OF LAND" defined - - - - Ben.Reg.27,1795,s.10.

"ACTUALLY EMPLOYED" defined - - - - - { Act15,1881,s.10(2)(am. Act11,1891,s.10).

"ADDITION" defined - - - - - - { Act3,1877,s.3. Ben.Act3,1895,s.2(*1*).

"ADEMPTION" defined - - - - - - Act10,1865,s.139.

"ADEN" defined - - - - - - - Reg.2,1891,s.2.

"ADJACENT SOIL" defined. *See* SUBJACENT AND ADJACENT SOIL.

"ADJOINING HOLDING" defined - - - - - - Ben.Act3,1884,s.6(*3*), *Expln.*

"ADJUSTMENT" defined. *See* INTERMEDIATE ADJUSTMENT OF ACCOUNT.

"ADMINISTRATOR" defined. (*See also* OFFICIAL ADMINISTRATOR) - { Act10,1865,s.3. Act5,1881,s.3.

WORDS AND PHRASES—*cont.*:

"ADMINISTRATOR GENERAL" defined - - - - Act2,1874,s.68(*4*)(ad. Act2,1890,s.15).
"ADMIRALTY" defined - - - - - - 52-3V.c.63,s.12(*4*).
"ADMIRALTY OR VICE-ADMIRALTY CAUSE" defined - - Act16,1891,s.3.
"ADMIRALTY COURT" defined. (*See also* COURT OF ADMIRALTY) Act16,1891,s.3.
"ADMISSION" defined - - - - - - Act1,1872,s.17.
"ADMITTED TO OCCUPATION" defined - - - - Act8,1885,s.47.
"ADULT" defined. *See* STATUTE ADULT.
"ADULTERY" defined. (*See also* BIGAMY WITH ADULTERY; INCESTUOUS ADULTERY) - - Act45,1860,s.497. Reg.5,1872,s.7.
"ADVERTISEMENT" defined - - - - - Act18,1881,s.41.
"ADVOCATE OF A HIGH COURT" defined - - - Act15,1882,s.7.
"ADVOCATE GENERAL' defined - - - - - Act17,1864,s.34(*v*)(ad. Act2,1890,s.7). Act2,1874,s.68(*v*)(ad. Act2,1890,s.15). Act10,1882,s.4(*k*). 52V.c.10,s.11.
"AFFIDAVIT" defined. (*See also* OATH; SWEAR) - - 52-3V.c.63,s.6. Act30,1852,s.13. Act10,1897,s 3(*3*). Ben.Act5,1867,s.1. Bom.Act3,1886,s.3(*19*). Mad.Act1,1891,s 3(*20*). N.&O.Act1,1887,s.2(*25*).
"AFFRAY" defined - - - - - - Act45,1860.s.159.
"AFTER SIGHT" defined - - - - - - Act26,1881,s.21.
"AGENT" defined. (*See also* COLLECTION AGENT; LOCAL AGENT; POLITICAL AGENT; RECOGNISED AGENT; REPRESENTATIVE; SUB-AGENT) - - - Act9,1872,ss.182,194. Act9,1874,s.32. Ben.Act1,1889,s.2. Ben.Act1,1896,s.2(*c*). Bom.Act2,1887,s.2(*3*). N.&O.Act3,1892,s.23(*2*).
"AGREEMENT" defined. *See also* SPECIAL AGREEMENT; VOID AGREEMENT) - - - Act9,1872,s.2(*e*). Act16,1887,s.112.
"AGRICULTURAL YEAR" defined - - - - - Act19,1873,s.3(*8*). Act17,1876,s.2. Act18,1881,s.4(*5*). Act9,1883,s.3(*10*). Act8,1885,s.3(*11*). Act16,1887,s.4(*17*). Act17,1887,s.3(*14*). Reg.2,1877,s.2(*a*). Reg.1,1886,s.3(*j*).
"AGRICULTURIST" defined - - - - - Act17,1879,s.2(1st and 2nd)(am.Act6,1895,s.2).
"AID THE DOING OF ACTS" defined - - - - Act45,1860,s.107, *Expln.2*.
"ALIEN ENEMY RESIDING IN A FOREIGN COUNTRY" defined - Act14,1882,s.430, *Expln.*
"ALIENATED" defined - - - - - - Bom.Act5,1879,s.3(*19*). Bom.Act4,1881,s.6, *Expln.*
"ALIENATION" defined - - - - - - Bom.Act6,1888,s.2(*1*)(*d*).

WORDS AND PHRASES—*cont.*:

"ALIENEE" defined - - - - - - Bom.Act6,1888,s.2(*1*)(*d*).
"ALTERING COMPOSITION OF COIN" defined - - - Act45,1860,s.246,*Expln.*
"AMIDSHIPS" defined - - - - - - 57-8V.c.60,s.437(*4*). Act7,1880,s.4(ad.Act17-1891,s.3).
"AMIN" defined - - - - - - Ben.Act8,1876,s.4(*i*).
"AMMUNITION" defined - - - - - - Act11,1878,s.4.
"ANCESTRAL PROPERTY" defined - - - - Act18,1876,s.20,*Expln.*
"ANGLICAN" defined - - - - - - Act15,1872,s.3,
"ANIMAL" defined. (*See also* CATTLE; HORSE) - - Act45,1860,s.47. Act11,1890,s.2(*1*). Act20,1891,s.100(*4*). Ben.Act1,1869,s1. Ben.Act2,1888,s.33. Mad.Act2,1866,s.2.
"ANIMAL-LYMPH" defined - - - - - Bom.Act1,1877,s.2(*6*). Bom.Act4,1879,s.2(*6*). Bom.Act1,1892,s.4(*f*).
"ANNUAL PROFITS" defined. *See* NET ANNUAL PROFITS.
"*ANNUAL VALUE*" *defined* - - - - - Act19,1873,s.3(6). Act3,1878,s.4. Act10,1878 s.2. Act20,1883,s.3(*4*). Act17,1884,s.41(*2*). Act17,1887,s.29(*2*)(am. Act17,1896,s.2). Act9,1889,ss.4(*5*),9(*5*). Act20,1891,s.42(*2*). Ben.Act9,1880,s.4. N.&O.Act5,1894,s.3(*4*). Reg.3,1879,s.2(*5*). Reg.5,1886,s.41(*2*). Reg.6,1886,s.2(*2*).
"APPARENT EASEMENT" defined - - - - Act5,1882,s.5.
"APPEAL" defined - - - - - - 53-4V.c.27,s.15.
"APPLICANT" defined - - - - - - Act15,1877,s.3. Act5,1888,s.4(*3*)&(*5*). Ben.Act8,1876,s.4(ii).
"APPOINTED DAY" defined - - - - - 49-50V.c.48,s.27.
"AREA" defined. (*See also* NOTIFIED AREA; PRESCRIBED AREA; VACCINATION AREA) - - - - Ben.Act3,1883,s.2.
"ARMS" defined - - - - - - - Act11,1878,s.4.
"ARREAR OF LAND-REVENUE" defined. (*See also* ARREAR OF REVENUE) - - Act19,1873,s.148. Act18,1881,s.91. Act17,1887,s.3(*7*). Bom.Act5,1879,s.147. Reg.2,1877,s.74.
"ARREAR OF RENT" defined - - - - - Act10,1859,s.20. Act9,1883,s.3(*6*). Act8,1885,s.54(*3*). Act16,1887,s.4(*4*).

WORDS AND PHRASES—*cont.*:

"ARREAR OF REVENUE" defined. (*See also* ARREAR OF LAND REVENUE), - - Act1,1845,s.2. Act11,1859,s2. Act2,1876,s.44. Mad.Act2,1864,s.4. Reg.1,1889,s.6(2). Reg.3,1889,s.38(3).

"ARREAR OF TAX" defined - - - - - Act20,1891,s.64(2). Reg.5,1886,s.63(2).

"ARRESTING AUTHORITY" defined - - - - 54-5V.c.31,s.9.

"ARTICLES OF SCULPTURE" defined - - - - 7-8V.c.12,s.20.

"ARTISTIC WORK" defined. *See* LITERARY AND ARTISTIC WORK.

"ASSAULT" defined - - - - - - Act45,1860,s.351. Act15,1887,s.3(6). Act5,1892,s.2(6). Reg.3,1881,s.2. Reg.2,1888,s 2(4). Reg.4,1890,s.3(5),

"ASSEMBLY" defined. *See* MEMBER OF AN UNLAWFUL ASSEMBLY; UNLAWFUL ASSEMBLY.

"ASSETS" defined - - - - - - Act2,1874,s.3. Act6,1882,ss.139,178. Ben.Act8,1876,s.4 (*iii*),(*iv*).

"ASSIGN" defined - - - - - - 5-6V.c.45,s.2. Act5,1888,s.4(4).

"ASSISTANT COLLECTOR" defined - - - - Bom.Act2,1890,s.3(*b*).

"ASSISTANT COMMISSIONER" defined. (*See also* HONORARY ASSISTANT COMMISSIONER) - - Act18,1881,s.4. Act12,1882,s.3. Act1,1883,s.2. Act16,1885,s.3. Reg.1,1895,s.2(5).

"ASSISTANT INSPECTOR" defined - - - - - Act1,1882,s.3.

"ASSISTANT RESIDENT" defined - - - - - Act2,1864,s.1.

"ASSISTANT SUPERINTENDENT" defined - - - - Bom.Act4,1890,s.3(*a*). Reg.5,1896,s.2(2).

"ASSISTANT SUPERINTENDENT OF POLICE" defined - - Bom.Act8,1867,s.1.

"ASSURANCE" defined - - - - - - Act30,1839,s.1.

"AT SIGHT" defined - - - - - - Act26,1881,s.21.

"ATTACHED TO THE EARTH" defined - - - - Act4,1882,s.3.

"ATTENDANTS ON PUBLIC CONVEYANCES" defined - - Bom.Act6,1863,s.36.

"AUDITOR" defined - - - - - - Act11,1876,s.3.

"AUTHOR" defined - - - - - - 49-50V.c.33,s.11.

"AUTHOR OF THE TRUST" defined - - - - Act2,1882,s.3.

"AUTHORITY" defined. *See* CANTONMENT-AUTHORITY; CHIEF CONTROLLING REVENUE-AUTHORITY; CHIEF CUSTOMS-AUTHORITY; CHIEF REVENUE-AUTHORITY; LOCAL AUTHORITY; MUNICIPAL AUTHORITY; POLICE AUTHORITY; ROAD AUTHORITY: TELEGRAPH AUTHORITY. *See also* EXPRESS AUTHORITY; IMPLIED AUTHORITY.

WORDS AND PHRASES—*cont.*:

"BADSHAHI GRANT" defined - - - - - Ben.Reg.12,1805,s.26.
"BAILABLE OFFENCE" defined - - - - - Act10,1882,s.4(*r*).
"BAILEE" defined - - - - - - Act9,1872,s.148.
"BAILMENT" defined - - - - - - Act9,1872,s.148.
"BAILOR" defined - - - - - - Act9,1872,s.148.
"BAKE-HOUSE" defined - - - - - Mad.Act1,1884,s.3(*ee*). Mad.Act4,1884,s.3(*xxiii*).
"BANK" defined - - - - - - 50-1V.c.11s.9. Act11,1876,s.3. Act18,1891,s.2(*2*).
BANKER" defined - - - - - Act1,1879,s.3(*i*). Act26,1881,s.3. Act18,1891,s.2(*2*).
"BANKERS' BOOKS" defined - - - - - Act16,1891,s.2(*3*).
"BANKRUPTCY" defined - - - - - - 57-8V.c.60,s.742.
"BARRISTER" defined. (*See also* LEGAL PRACTITIONER) - Act10,1897,s.3(*4*). Mad.Act1,1891,s.3(*2*).
"BASTI" defined. (*See also* RE-MODELLED BASTI) - - Ben.Act2,1888,s.3.
"BASTI LAND" defined - - - - - - Ben.Act,2,1888,s.3. Ben.Act1,1893,s.3(*1*).
"BATTALION" defined - - - - - - 44-5V.c.58,s.190(*16*).
"BAZAR" defined. (*See also* MARKET; MUNICIPAL MARKET) - Act20,1856,s.61. Ben.Act2,1888,s.3.
"BEER" defined - - - - - - Mad.Act1,1886,s.3(*10*).
"BELIEVE" defined. *See* REASON TO BELIEVE.
"BENCH" defined - - - - - - N.&O.Act2,1896,s.3(*2*).
"BENEFICIAL ENJOYMENT" defined - - - - Act5,1882,s.4.
"BENEFICIAL INTEREST" defined - - - - Act2,1882,s.3.
"BENEFICIARY" defined - - - - - Act2,1882,s.3.
"BENGAL" defined. *See* PRESIDENCY OF BENGAL; PRESIDENCY OF FORT WILLIAM.
"BENGAL ACT" defined - - - - - - Act10,1897,s.3(*5*).
"BEYOND THE SEAS" defined - - - - - 44-5V.c.58,s.190(*25*).
"BHUINHARI" defined - - - - - - Ben.Act2,1869,s.1.
"BHUM" defined - - - - - - Reg.2,1877,s.31.
"BIGAMY" defined. *See* BIGAMY WITH ADULTERY; MARRIAGE WITH ANOTHER WOMAN.
"BIGAMY WITH ADULTERY" defined - - - - Act4,1869,s.3(*7*).
"BILL OF EXCHANGE" defined - - - - - Act15,1877,s.3. Act1,1879,s.3(*2*). Act26,1881,s 5.
"BILL OF LADING" defined - - - - - Act1,1879,s.3(*3*).
"BISHOP" defined - - - - - - 37-8V.c.77.s.14.
"BOARD" defined. (*See also* LOCAL BOARD; MUNICIPAL BOARD; SANITARY BOARD) - - Act19,1873,s.3(*11*). Act11,1876,s.3. Act17,1876,s.2(ad.Act

WORDS AND PHRASES—*cont.*:

"BOARD" defined. (*See also* LOCAL BOARD; MUNICIPAL BOARD; SANITARY BOARD)—*cont.* - - - 20,1890,s.12). Act12,1881,s.3(7). Act5,1886,s.3(4). Act22,1886,s.3(1*A*)[ins. Act20,1890,s.44(1)]. Ben.Act7,1876,s.3(12). Ben.Act8,1876,s.4(V). Ben.Act7,1878,s.4. Bom.Act7,1865,s.35. Bom.Act6,1879,s.4. Mad.Act2,1886,s.4.

"BOARD OF COMMISSIONERS" defined - - - - Ben.Reg.7,1822,s.35.

"BOARD OF REVENUE" defined - - - - - Act12,1851,s.18. Ben.Act7,1864,s.3. Ben.Reg.7,1822,s.35. Ben.Reg.7,1828,s.25am. Act14,1881,s.12). Bom.Act 7,1865,s.3. N.&O.Act1,1887,s.2(10). [am. N.&O.Act 1,1896,s.2].

"BOARD OF TRADE" defined - - - - - 52-3V.c.63.s.12(8).

"BOILER" defined - - - - - - Act18,1882,s.2. Ben.Act3,1879,s.3. Bom.Act2,1891,s 3(*a*). Mad.Act3,1893,s.2.

"BOMBAY" defined. *See* CITY OF BOMBAY; PRESIDENCY OF BOMBAY; PRESIDENCY-TOWN; TOWN; TOWN OF BOMBAY; TOWN AND SUBURBS OF BOMBAY.

"BOMBAY ACT" defined - - - - - - Act10,1897,s.3(6).

"BOMBAY CITY SURVEY" defined - - - - Bom.Act2,1876,s.19.

"BOND" defined - - - - - - - Act15,1877,s.3. Act1,1879,s.3(4).

"BOOK" defined - - - - - - - 5-6V.c.45,s.2. 7-8V.c.12,s.20. 49-50V.c.33,s.11. Act25,1867,s.1. Act 3,1877,s.3.

"BOUND" defined. *See* LEGALLY BOUND.

"BOUNDARY-MARK" defined. (*See also* SURVEY BOUNDARY-MARK) - - - Bom.Act5,1879,s.3(9).

"BREACH OF THE PEACE" defined - - - - Mad.Reg.4,1816,s.30(6).

"BREACH OF TRUST" defined. (*See also* CRIMINAL BREACH OF TRUST) - - - Act2,1882,s.3.

"BRITISH BURMA"; construction of references to - - Act20,1886,s.4.

"BRITISH BURMA GAZETTE"; construction of references to - Act20,1886,s.4.

"BRITISH COURT IN A FOREIGN COUNTRY" defined - - 55-6V.c.6,s.6.

"BRITISH DOMINIONS" defined - - - - - 5-6V.c.45,s.2.

WORDS AND PHRASES—*cont.*:

"BRITISH INDIA" defined - - - - 44-5V.c.58,s.190(*21*). 52-3V.c.63,s.18(*4*). Act45,1860,s.15. Act16,1861,s.21. Act3,1864,s.1. Act8,1864,s.1. Act10,1865,s.3. Act15,1865,s.2. Act5,1866,s.1. Act14,1866,s.2. Act11,1867,s.1. Act25,1867,s.1. Act5,1869, Pt.1,cl.(*e*)(*15*)(ins.Act12, 1894,s.4). Act10,1897,s.3(*f*). Bom.Act3,1886,s.3(*5*). (am.Act16,1895). Mad.Act1,1891,s.3(*3*). N.&O.Act1,1887,s.2 (*13*). Reg.8,1874,s.1.

"BRITISH INDIAN SHIP" defined - - - - Act7,1880,s.4.

"BRITISH OFFICER" defined - - - - - Act5,1869,Pt.I,cl.(*e*)(*3*).

"BRITISH POSSESSION" defined - - - - - 33V.c.14,s.17. 33-4V.c.52,s.26. 33-4V.c.90,s.30. 36-7V.c.88,s.2. 44-5V.c.69,Pt.4,s.39. 47-8V.c.31,s.18. 48-9V.c.49,s.12. 49-50V.c.33,s.11. 49-50V.c 48,s.27. 52-3V.c.63,s.18(*2*). Act10,1897,s.3(*8*).

"BRITISH SHIP" defined - - - - - Act7,1880,s.4.

"BRITISH SLAVE COURT" defined - - - - 36-7V.c.88,s.2.

"BRITISH STEAM-SHIP" defined - - - - - Act7,1884,s.3(*2*).

"BRITISH SUBJECT" defined. *See* EUROPEAN BRITISH SUBJECT.

"BROTHER" defined - - - - - - Act1,1869,s.21.

"BUDGET" defined - - - - - - Mad.Act1,1884,s.3(*b*).

"BUDGET-GRANT" defined - - - - - Bom.Act3,1888,ss.115(*3*), 130.

"BUILDING" defined. (*See also* COMMON GAMING-HOUSE; ERECT; FACTORY; HOUSE; NEW BUILDING; WAREHOUSE) - - 33-4V.c.90,s.36. Bom.Act6,1873,s.3. Bom.Act3,1888,ss.3(*c*), 300(*2*). Mad.Act1,1884,s.3(*p*). Mad.Act4,1884,s.3(ix). Mad.Act2,1888,s.2,

WORDS AND PHRASES—*cont.*:

"BUILDING-SITE" defined - - - - - Bom.Act5,1879,s.3(*8*).

"BUOYS AND BEACONS" defined - - - - 57-8V.c.60,s.742.

"BURDEN OF PROOF" defined - - - - - Act1,1872,s.101.

"BURGLARY" defined. *See* HOUSE-BREAKING.

"BURIAL-GROUND" defined. *See* PUBLIC MUHAMMADAN BURIAL-GROUND.

"BURMA" defined. (*See also* BRITISH BURMA; LOWER BURMA; UPPER BURMA) - - - - Act20,1886,s.4.

"BYE-LAW" defined - - - - - - Act20,1891,s.3(*10*).

"CALCUTTA" defined. (*See also* PRESIDENCY-TOWN; TOWN OF CALCUTTA) - - - - Ben.Act2,1884,s.2.
Ben.Act2,1888,s.3.
Ben.Act2,1891,s.3(*1*).
Ben.Act9,1895,s.2(*a*).
Ben.Act1,1896,s.2(*d*).

"CANAL" defined - - - - - - Act8,1873,ss.3(*1*),74.
Act2,1881,s.2(*1*).
Ben.Act3,1876,s.3(*1*).
Bom.Act7,1879,s.3(*1*).
Mad.Act2,1890,s.3.

"CANAL-OFFICER" defined. (*See also* DIVISIONAL CANAL-OFFICER; SUB-DIVISIONAL CANAL OFFICER; SUPERINTENDING CANAL-OFFICER) - - Act8,1873,s.3(*7*).
Act2,1881,s.2(*3*).
Ben.Act3,1876,s.3(*7*).
Bom.Act7,1879,s.3(*6*).

"CANNON" defined - - - - - - Act11,1878,s.4.

"CANTONMENT AUTHORITY" defined - - - - - Act20,1887,s.2(*2*).
Act13,1889,s.6(*1*).

"CAPITAL" defined - - - - - - Act11,1876,s.3.
Act6,1882,s.13,*Expln.1.*

"CAPITAL STOCK" defined - - - - - - Act11,1876,s.3.

"CARRIAGE" defined. (*See also* HACKNEY-CARRIAGE; STAGE-CARRIAGE) - - - - Act4,1884,s.4(*4*).
Act11,1886,s.3(*9*).
Ben.Act5,1876,s.6(*1*).
Ben.Act3,1884,s.6(*1*).
Ben.Act2,1888,s.3.
Mad.Act3,1879,s.3.

"CARRIER" defined. (*See also* COMMON CARRIER) - - Mad.Act8,1878,s.3.

"CART" defined - - - - - - - Ben.Act5,1876,s.6(*2*).
Ben.Act3,1884,s.6(*2*).
Ben.Act2,1888,s.3.

"CATTLE" defined. (*See also* ANIMAL) - - - - Act13,1856,s.2.
Act24,1859,s.1.
Act5,1861,s.1.
Act1,1871,s.3.
Act13,1877,s.7,*Expln.*
Act7,1878,s.2.
Act19,1881,s.3.
Act9,1890,s.125(*5*).
Ben.Act2,1866,s.51.
Ben.Act4,1866,s.3.

WORDS AND PHRASES—*cont.*:

"CATTLE" defined.—*cont.* - - - - - Bom.Act7,1867,s.1. Bom.Act4,1890,s.3(*f*). Mad.Act5,1882,s.2. Mad.Act3,1888,s.3. Reg.1,1874,s.2. Reg.6,1874,s.2. Reg.6,1887,s.2(*6*). Reg.5,1890,s.2(*9*). Reg.7,1891,s.3(*6*).

"CATTLE DOING DAMAGE TO A PUBLIC PLANTATION" defined - Act7,1878,s.69. Act19,1881,s.68. Mad.Act5,1882,s.57. Reg.6,1887,s.66. Reg.5,1890,s.1. Reg.7,1891,s.66. Reg.6,1893,s.34.

"CELLULAR CONFINEMENT" defined - - - - Act9,1894,s.46(*10*), *Expln.*

"CERTAIN" defined - - - - - - Act26,1881,s.5.

"CERTIFICATE OFFICER" defined - - - - Ben.Act1,1895,s.4(*2*).

"CERTIFIED COPY" defined - - - - - Act1,1872,s.76. Act18,1891,s.2(*8*).

"CESS" defined. *See* RATES AND CESSES; SETTLEMENT CESS; VILLAGE-CESS.

"CESS YEAR" defined - - - - - - Ben.Act3,1885,s.5.

"CHAIRMAN" defined - - - - - - Ben.Act9,1880,s.171. Mad.Act2,1888,s.2.

"CHANNEL" defined. (*See also* VILLAGE CHANNEL) - - Ben.Act5,1864,s.1. Mad.Act2,1890,s.3.

"CHAPEL" defined - - - - - - 37-8V.c.77,s.14.

"CHAPTER" defined - - - - - - Act10,1897,s.3(*9*). Bom.Act3,1886,s.3(*21*). Mad.Act1,1891,s.3(*4*). N.&O.Act1,1887,s.2(*4*).

"CHARACTER" defined - - - - - - Act1,1872,s.55,*Expln.* Cam.Act3,1891,s.6).

"CHARGEABLE" defined - - - - - - Act1,1879,s.3.

"CHARITABLE PURPOSES" defined - - - - Act6,1890,s.2.

"CHAUKIDAR" defined - - - - - - N.&O.Act3,1892,s.2(*8*).

"CHAUKIDARI CHAKRAN LANDS" defined - - - - Ben.Act6,1870,s.1.

"CHAUKIDARI FUND" defined - - - - - Ben.Act6,1870,s.23.

"CHAVDI" defined - - - - - - Bom.Act1,1889,s.4(*c*).

"CHEATING" defined. (*See also* FRAUD) - - - - Act45,1860,s.415.

"CHEATING BY PERSONATION" defined - - - - Act45,1860,s.416.

"CHEQUE" defined - - - - - - Act1,1879,s.3. Act26,1881,s.6.

"CHEQUE CROSSED GENERALLY" defined - - - - Act26,1881,s.123.

"CHEQUE CROSSED SPECIALLY" defined - - - - Act26,1881,s.124.

"CHIEF" defined - - - - - - - Act15,1888,s.2(*2*).

WORDS AND PHRASES—*cont.* :

"CHIEF COMMISSIONER" defined. (*See also* LOCAL GOVERNMENT) - - - Act3,1867,s.1. Act24, 1870,s.2. Reg 4,1872,s.1. Reg.3,1890,s.96(1)(ins. Reg.3,1893,s.1).

"CHIEF CONTROLLING REVENUE-AUTHORITY" defined - - Act1,1879,s.3(7). Act3,1879,s.7. Act18,1888,s.4.

"CHIEF CUSTOMS-AUTHORITY" defined - - - - Act8,1878,s.3(*a*). Act2,1896,s.3(2).

"CHIEF CUSTOMS-OFFICER" defined. (*See also* CHIEF OFFICER OF CUSTOMS) - - Act8,1878,s.3(*b*). Act10,1887,s.5(6). Act14,1895,s.5(4).

"CHIEF FOREST-OFFICER" defined - - - - Reg.5,1890,s.2(4).

"CHIEF JUSTICE" defined - - - - - Act17,1864,ss.1,34(1)(*v*)(ad.Act2,1890,s.7). Act15,1865,s.2. Act10,1882,s.4(*j*). Act14,1891,s.3.

"CHIEF OFFICER OF CUSTOMS" defined. (*See also* CHIEF CUSTOMS OFFICER) - 57-8V.c.60,s.742. Mad.Act2,1886,s.3(*a*).

"CHIEF REVENUE-AUTHORITY" defined - - - Act18,1888,s.4. Act12,1896,s.3(*a*).

"CHILD" and "CHILDREN" defined. (*See also* DAUGHTER; GOVERNMENT WARD; GRANDCHILDREN; ISSUE; MINOR; MINOR CHILDREN; SON; UNPROTECTED CHILD) - - Act13,1855,s.4. Act10,1865,ss.86,87. Act21,1870,s.6. Act27,1871,s.17A(ins. Act2,1897,s.4). Act15,1881,s.2. Bom.Act1,1872,s.6. Mad.Act4,1896,s.2.

"CHINS" defined - - - - - - - - Reg.5,1896,s.2(3).

"CHRISTIANS" defined. (*See also* NATIVE CHRISTIANS; ROMAN CATHOLIC) - - - - Act15,1872,s.3.

"CHURCH" defined - - - - - - 37-8V.c.77,s.14. Act15,1872,s.3.

"CHURCH OF ENGLAND" defined - - - Act15,1872,s.3. Act6,1886,s.24.

"CHURCH OF ROME" defined - - - - - Act15,1872,s.3. Act6,1886,s.24.

"CHURCH OF SCOTLAND" defined - - - - - Act15,1872,s.3. Act6,1886,s.24.

"CIRCLE" defined. (*See also* VACCINATION-CIRCLE) - - Act11,1886,s.3(4). Ben.Act5,1887,s.2. Mad.Act4,1889,s.3(*g*). N.&O.Act3,1892,s.2(5).

"CIRCLE TAHSILDAR" defined - - - - - Ben.Act5,1887,s.2.

"CITY" defined. (*See also* VILLAGE, TOWN OR CITY) - - Bom.Act3,1888,s.3(*a*). Mad.Act1,1884,s.3(*g*).

"CITY COURT" defined - - - - - - Act7,1892,s.2(*I*).

WORDS AND PHRASES—*cont.*:

"CITY OF BOMBAY" defined - - - - - Bom.Act3,1886,s.3(7).

"CITY OF MADRAS" defined - - - - - Act7,1892,s.2(2). Mad.Act1,1884,s.3(f). Mad.Act3,1888,s.3. Mad.Act1,1891,s.3(5).

"CIVIL COURT" defined - - - - - - 44-5V.c.58,s.190(31). Act35,1858,s.23. Act20,1863,s.2. Act17,1879,s.47,*Expln.* (ad.Act23,1881,s.9). Ben.Act7,1876,s.3(1). Bom.Act6,1862,s.21(1).

"CIVIL DISTRICT" defined - - - - - Act20,1869,s.4(3)(ins. Act10,1896,s.2).

"CIVIL JAIL" defined. (*See also* JAIL; PRISON) - - Act10,1859,s.168. Act12,1881,s.3(8). Ben.Act1,1879,s.2.

"CIVIL OFFENCE" defined - - - - - Act5,1869,Pt.I,cl(e)(21). (ins.Act12,1894,s.4).

"CIVIL PRISONER" defined - - - - - Act9,1894,s.3(4).

"CLAN" defined - - - - - - - Reg.1,1895,s.2(3). Reg.2,1896,s.2(1). Reg.5,1896,s.2(4).

"CLASS" defined - - - - - - - Reg.4,1887,s.1(6).

"CLERK" defined - - - - - - - Act45,1860,s.27,*Expln.*

"CLERK OF THE CROWN" defined - - - - Act10,1882,s.4(l).

"CLUBBED PACKET" defined - - - - - Act14,1866,s.2.

"COAST" defined - - - - - - - Act5,1883,s.6(5)(ad.Act 6,1891,s.9).

"COASTING SHIP" defined. - - - - - Act10,1889,Sch.I,Pt.II, *Expln.1.*

"COASTING STEAMER" defined - - - - Act10,1889,Sch.I,Pt.II, *Expln.1.*

"COASTING VESSEL" defined - - - - - Act7,1878,s.3(g).

"CODICIL" defined - - - - - - Act10,1865,s.3. Act1,1869,s.2. Act5,1881,s.3.

"COERCION" defined. (*See also* CRIMINAL FORCE; FORCE) - Act9,1872,s.15.

"COFFEE" defined - - - - - - - Mad.Act8,1878,s.3.

"COFFEE-ESTATE" defined - - - - - Mad.Act8,1878,s.3.

"COGNIZABLE CASE" defined - - - - - Act10,1882,s.4(q).

"COGNIZABLE OFFENCE" defined - - - - Act10,1882,s.4(q). Bom.Act3,1888,s.440(3).

"COIN" defined. (*See also* ALTERING COMPOSITION OF COIN; COUNTERFEITING COIN; MONEY; QUEEN'S COIN; TREASURE) - - - - Act45,1860,s.230.

"COLLATERAL CONSANGUINITY" defined - - - - Act10,1865,s.22.

"COLLECTION AGENT" defined - - - - - Reg.1,1894,s.10(i).

WORDS AND PHRASES—*cont.*

"COLLECTOR" defined. (*See also* CUSTOMS-COLLECTOR; DEPUTY COMMISSIONER; DISTRICT COLLECTOR

Act20,1848,s.6.
Act23,1850,s.14.
Act12,1851,s.18.
Act32,1855,s.21.
Act11,1859,s.61.
Act22,1872,s.4.
Act8,1873,s.3(*6*).
Act19,1873,s.3(*2*).
Act3,1878,s.3.
Act6,1878,s.3.
Act1,1879,s.3(*8*).
Act12,1881,s.3.
Act14,1882,s.2.
Act19,1883,s.3.
Act8,1885,s.3(*16*).
Act2,1886,s.3(*9*).
Act5,1886,s.3(*2*).
Act11,1886,s.3(*14*).
Act16,1887,s.75(*2*).
Act1,1890,s.2(*2*).
Act8,1890,s.4(*6*).
Act9,1890,s.3(*18*).
Act1,1894,s.3(*c*).
Act2,1896,s.3(*3*).
Act12,1896,s.3(*b*).
Act10,1897,s.3(*10*).
Ben.Act8,1865,s.1.
Ben.Act7,1866,s.10.
Ben.Act7,1868,s.1.
Ben.Act4,1870,s.1.
Ben.Act6,1873,s.3.
Ben.Act5,1875,s.2.
Ben.Act3,1876,s.3(*5*).
Ben.Act7,1876,s.3(*13*).
Ben.Act8,1876,s.4(xvii).
Ben.Act7,1878,s.4.
Ben.Act9,1879,s.3.
Ben.Act6,1880,s.3.
Ben.Act9,1880,s.4.
Ben.Act2,1882,s.3.
Ben.Act8,1895,s.2(*f*).
Bom.Act3,1869,s.13.
Bom. Act 5, 1878,s.3(*4*)
(am.Bom.Act3,1886).
Bom.Act7,1879,s.3(*5*)
(am.Bom.Act3,1886).
Bom.Act5,1879,s.3(*3*).
Bom.Act3,1886,s.3(*12*).
Bom.Act2,1890,s.(*b*).
Mad.Act8,1865,s.1.
Mad.Act5,1882,s.2.
Mad.Act1,1816,s.3(*12*).

WORDS AND PHRASES—*cont.*

"COLLECTOR" defined—*cont.* - - - - - Mad.Act1,1891,s.3(*6*). N.&O.Act1,1887,s.2(*12*). N.&O.Act2,1892,s.2(*14*), N.&O.Act2,,1892,s.2(*3*). Reg.2,1877,s.2(*b*).

"COLLECTORATE" defined. (*See also* DISTRICT) - - - Act6,1853,ss.3,4.

"COLONIAL COURT OF ADMIRALTY" defined - - - 57-8V.c.60,s.742.

"COLONIAL LAW" defined - - - - - 53-4V.c.27,s.15.

"COLONIAL LEGISLATURE" defined - - - - 52-3V.c.63,s.18(*7*).

"COLONY" defined - - - - - - - 13-14V.c.96,s.5. 23-4V.c.88,s.1. 37-8V.c.27,s.2. 44-5V.c.58,s.190(*23*). 46-7V.c.30,s.2. 52-3V.c.63,s.18(*3*). 53V.c.4,s.9(*2*). Act10,1897,s.3(*11*).

"COMMAND" defined - - - - - - Act5,1869,Pt.I,cl.(*e*)(*16*) (ins.Act12,1894,s.4).

"COMMANDANT" defined - - - - - Act15,1887,s.3(*4*). Act5,1892,s.2(*4*). Reg.2,1888,s.2(*2*). Reg.4,1890,s.3(*4*).

"COMMANDER-IN-CHIEF" defined - - - - 44-5V.c.58,s.190(*3*).

"COMMANDING OFFICER" defined - - - - Act5,1869,Pt.I,cl.(*e*)(*17*). [am.Act12,1894,s.4]. Act14,1882,s.465,*Expln.* Act14,1887,s.2(*1*)(*f*).

"COMMENCEMENT" defined - - - - - 52-3V.c.63,s.36(*1*). Act10,1897,s.3(*12*). Mad.Act1,1891,s.3(*7*). N.&O.Act1,1887,s.2(*7*).

"COMMISSIONER' defined (*See also* MUNICIPAL COMMISSIONER; MUNICIPAL COMMITTEE; SANITARY COMMISSIONER) - - - Act23,1850,s.14. Act8,1873,s.3(*5*). Act3,1878,s.3. Act15,1879,s.2. Act20,1881,s.3. Act21,1881,s.3. Act5,1886,s.3(*3*). Act9,1886,s.2(*1*). Act20,1896,s.2(*4*). Act10,1897,s.3(*13*). Ben.Act9,1871,s.1. Ben.Act7,1878,s.4. Ben.Act9,1880,s.4. Ben.Act5,1883,s.1. Ben.Act1,1885,s.5. Ben Act3,1885,s.5. Ben.Act8,1895,s.2(*g*). Bom.Act6,1873,s.3.

WORDS AND PHRASES—*cont.* :

"COMMISSIONER" defined —*cont.* . . . . Bom.Act5,1878,s.3(*3*) (am.Bom.Act3,1886). Bom.Act7,1882,s.4.(am. Act16,1895). Bom.Act3,1886,s.3(*11*) Bom.Act3,1888,s.62(*1*). Bom.Act2,1890,s.3(*a*). Mad.Act1,1886,s.3(*3*). Mad.Act3,1888,s.3. Mad.Act4,1889,s.3(*l*). N.&O.Act1,1887,s.2(*11*). Reg.4,1872,s.1. Reg.2,1886,s.2(*l*). Reg.4,1887,s.3(*2*). Reg.1,1889,s.3(*5*). Reg.5,1893,s.3(*l*).

"COMMISSIONER, THE" defined . . . . Ben.Act8,1876,s.4(xvii). Ben.Act5,1876,s.6(*19*). Ben.Act1,1879,s.2. Ben.Act6,1880,s.3. Ben.Act3,1884,s.6(*18*). Ben.Act2,1888,s.3. Ben.Act2,1891,s 3(*5*). Ben.Act1,1893,s.3(*7*). Bom.Act2,1887,s.2(*4*). Bom.Act3,1888,s.3(*d*).

"COMMISSIONER FOR OATHS" defined . . . . 57-8V.c.60,s.742.

"COMMISSIONER OF A DIVISION" defined . . . . Act19,1873,s.3(*3*). Act12,1881,s.3. Bom.Act2,1884,s.4(*5*).

"COMMISSIONER OF POLICE" defined. (*See also* POLICE COMMISSIONER) . . Ben.Act1,1893,s.3(*b*). Ben.Act1,1896,s.2(*c*).

"COMMISSIONER OF REVENUE" defined . . . . Act12,1896,s.3(*c*).

"COMMITTEE" defined. (*See also* MUNICIPAL COMMITTEE; STANDING COMMITTEE) . . Act15,1873,s.3. Act14,1879,s.2. Act22,1883,s.2. Act19,1884,s.2(*6*). Act1,1886,s.2. Act18,1889,s.3(*2*). Act20,1891,s.3(*2*). Ben.Act9,1880,s.4. Reg.5,1886,s.2(*l*).

"COMMON CARRIER" defined . . . . Act3,1865,s.2.

"COMMON GAMING-HOUSE" defined . . . . Act21,1857,s.59(am.Ben. Act3,1897,s.3). Act3,1867,s.1. Act16,1884,s.2(*2*). Ben.Act2,1866,s.51. Ben.Act4,1866,s.3(am. Ben.Act3,1897,s.2). Ben.Act2,1867,s.1(am.

WORDS AND PHRASES—*cont.*

"COMMON GAMING-HOUSE" defined—*cont.* - Ben.Act3,1897,s.4). Bom.Act3,1866,s.14. Bom.Act4,1887,s.3. Mad.Act3,1888,s.3.

"COMMUNICATIONS" defined - Act15,1889,s.2(*2*).

"COMPANY" defined. (*See also* GUARANTEED COMPANY; INSURANCE COMPANY; JOINT STOCK COMPANY; INDIAN RAILWAY COMPANY; RAILWAY COMPANY; UNREGISTERED COMPANY) - 46-7V.c.30,s.2. Act18,1885,s.16(*b*). Act2,1886,s.3(*2*). Act18,1891,s.2(*1*). Act1,1894,s.3(*e*). Ben.Act9,1895,s.2(*b*).

"COMPETENT WITNESS" defined - Act1,1872,s.120.

"COMPLAINT" defined - Act10,1882,s.4(*a*).

"COMPULSORY DEPOSIT" defined - Act9,1897,s.2(*4*).

"CONCLUSIVE EVIDENCE OF FACT" defined - Act6,1882,s.77.

"CONCLUSIVE PROOF" defined - Act1,1872,s.4.

"CONDITIONAL" defined - Act16,1881,s.5.

"CONDITIONAL SALE" defined. *See* MORTGAGE BY CONDITIONAL SALE.

"CONDUCT" defined - Act1,1872,s.8, *Expln.1.*

"CONSANGUINITY" defined. (*See also* COLLATERAL CONSANGUINITY; LINEAL CONSANGUINITY) - Act10,1865,s.20.

"CONSENT" defined. (*See also* FREE CONSENT) - 37-8V.c.77,s.14. Act45,1860,s.90. Act9,1872,s.13.

"CONSIDERATION" defined - Act9,1872,s.2(*d*).

"CONSIGNEE" defined - Act9,1874,s.32.

"CONSTABLE" defined - 44-5V.c.58,s.190(*58*). 44-5V.c.69,s.39. Bom.Act7,1867,s.1. Bom.Act4,1890,s.3(*o*).

"CONSULAR OFFICER" defined - 52-3V.c.63,s.12(*20*). 57-8V.c.60,s.742. Act10,1897,s.3(*14*).

"CONTEMPT" defined - Act1,1845,s.32. Act11,1859,s.57.

"CONTENTION" defined - Act10,1865,s.253A, *Expln.* (ad.Act6,1881,s.7). Act5,1881,s.73, *Expln.*

"CONTESTED ELECTION" defined - Bom.Act3,1888,s.26(*2*)(*f*).

"CONTINGENT CONTRACT" defined - Act9,1872,s.31.

"CONTINGENT INTEREST" defined - Act4,1882,s.21.

"CONTINGENT RIGHT" defined - Act27,1866,s.3.

"CONTINUING GUARANTEE" defined - Act9,1872,s.129.

"CONTINUING OFFENCE" defined - Ben.Act 2,1891,s.56(*2*).

"CONTINUING TRUSTEE" defined - Act28,1866,s.34.

"CONTINUOUS EASEMENT" defined - Act5,1882,s.5.

"CONTINUOUS POSSESSION" defined - Act2,1876,s.7, *Expln.1.*

"CONTRABAND SALT" defined - Bom.Act2,1890,s.3(*m*). Mad.Act4,1889,s.3(*k*).

WORDS AND PHRASES—*cont.*:

"CONTRACT" defined. (*See also* CONTINGENT CONTRACT; LABOUR-CONTRACT; VOID CONTRACT; VOIDABLE CONTRACT) - - - - Act13,1859,s.4. Act9,1872,s.2(*h*).

"CONTRACT OF GUARANTEE" defined - - - - Act9,1872,s.126.

"CONTRACT OF INDEMNITY" defined - - - - Act9,1872,s.126.

"CONTRACT FOR SALE OF IMMOVEABLE PROPERTY" defined - Act4,1882,s.54.

"CONTRACTOR" defined. (*See also* SUB-CONTRACTOR) - - Act1,1882,s.9. Mad.Act5,1866,s.1.

"CONTRIBUTORY" defined - - - - - - - Act6,1882,s.124.

"CONVEY" defined - - - - - - - Act27,1866,s.2.

"CONVEYANCE" defined. (*See also* INSTRUMENT) - - - Act27,1866,s.2. Act1,1879,s.3(*9*).

"CONVICTED CRIMINAL PRISONER" defined - - - Act9,1894,s.3(*3*).

"CONVICTION" defined - - - - - - 33-4V.c.52,s.26. Mad.Act3,1888,s.3.

"COOLIE" defined - - - - - - - Ben.Act5,1888,s.1.

"COPYRIGHT" defined - - - - - - 5-6V.c.45,s.2. Act5,1888,s.50(*2*).

"CORPORATION" defined - - - - - - *Act6,1890,s.3(2).* Ben.Act 1,1880,s.28 of Sch. Bom.Act 3,1888,s.3(*b*).

"CORPORATION OF CALCUTTA" defined - - - - Ben.Act2,1888,s.4.

"CORPS" defined - - - - - - - 44-5V.c.58,s.190(*15*). Act5,1869,Pt.I,cl.(*e*)(*10*) (ins.Act12,1894,s.4).

"COTTON" defined - - - - - - - Ben.Act 1,1893,s.3(*2*).

"COTTON GOODS" defined - - - - - - Act2,1896,s.3(*5*).

"COTTON YARN" defined - - - - - - Act2,1896,s.3(*4*).

"COUNCIL" defined - - - - - - Ben.Act3,1866,s.6. Bom.Act 13,1866,s.6.

"COUNCIL OF ELDERS" defined - - - - - Reg.4,1887,s.3(*1*). Reg.3,1892,s.4.

"COUNCILLOR" defined - - - - - - Bom.Act3,1888,s.3(*c*).

"COUNTERFEIT" defined - - - - - - Act45,1860,s.328.

"COUNTERFEITING A GOVERNMENT STAMP" defined - - Act45,1860,s.255,*Expln.*

"COUNTERFEITING COIN" defined - - - - Act45,1860,s.231,*Expln.*

"COUNTRY-LIQUOR" defined - - - - - Bom.Act5,1878,s.3(*8*). Mad.Act1,1886,s.3(*11*).

"COURT" defined. (*See also* ADMIRALTY COURT; BRITISH COURT; BRITISH SLAVE COURT; CITY COURT; CIVIL COURT; COLONIAL COURT OF ADMIRALTY; CRIMINAL COURT; DISTRICT COURT; FOREIGN COURT; HIGH COURT; INDIAN MARINE COURT; REVENUE COURT; SLAVE COURT; SMALL CAUSE COURT; SPECIAL COURT; SUBORDINATE COURT; SUPERIOR COURT; VICE-ADMIRALTY COURT; VILLAGE COURT) - - 57-8V.c.60,s.742. Act20,1863,s.2. Act15,1865,s.2. Act4,1869,s.3(*4*). Act1,1872,s.3. Act4,1882,s.57(*e*). Act6,1882,ss.3,130, 218. Act14,1882,s.248,*Expln.* Act22,1886,s.3(*1*). Act8,1890,s.4(*5*). Act18,1891,s.2(*5*). Act1,1894,s.3(*d*). Ben.Act4,1870,s.1. Ben.Act3,1876,s.3(6).

WORDS AND PHRASES—*cont.*:

"COURT FOR RELIEF OF INSOLVENT DEBTORS" defined - - 11-12V.c.21,s.92.
"COURT HAVING ADMIRALTY JURISDICTION" defined - - Act16,1891,s.3.
"COURT-MARTIAL" defined - - - - - Act5,1869,Pt.I,cl.(*e*)(*19*) (am.Act12,1894,s.4).
"COURT OF ADMIRALTY" defined. (*See also* ADMIRALTY COURT) - - 33-4V.c.90,s.30.
"COURT OF JUSTICE" defined - - - - - Act45,1860,s.20.
"COURT OF LAW" defined - - - - - 44-5V.c.58,s.190(*36*).
"COURT OF THE RESIDENT" defined - - - - Act2,1864,s.1.
"COURT OF SMALL CAUSES" defined. *See* SMALL CAUSE COURT.
"COURT WHICH PASSED A DECREE" defined - - - Act14,1882,s.649.
"COUSIN" defined. (*See also* COUSIN-GERMAN; FIRST COUSIN; FIRST COUSIN ONCE REMOVED; SECOND COUSIN) - - - - - Act10,1865,s.86.
"COUSIN-GERMAN" defined - - - - - Act10,1865,s.86.
"COVERING" defined - - - - - - Act4,1889,s.5(*3*).
"CREDITOR" defined - - - - - Act9,1872,s.126.
"CRIMINAL BREACH OF TRUST" defined - - - - Act45,1860,s.405.
"CRIMINAL COURT" defined - - - - - Act5,1869,Pt.I,cl.(*e*)(*20*) (am.Act12,1894,s.4). Act14,1866,s.2. Act4,1871,s.17. Act14,1887,s.2(*1*)(*i*).
"CRIMINAL FORCE" defined - - - - - Act45,1860,s.350. Act15,1887,s.3(*6*). Act5,1892,s.2(*6*). Reg.3,1881,s.2. Reg.2,1888,s.3(*4*). Reg.4,1890,s.3(*5*).
"CRIMINAL INTIMIDATION" defined - - - - Act45,1860,s.503.
"CRIMINAL LUNATIC" defined - - - - - - 47-8V.c.31,s.18.
"CRIMINAL TRESPASS" defined - - - - - Act45,1860,s.441.
"CROPS" defined. *See* STANDING CROPS.
"CROSS-EXAMINATION" defined - - - - - Act1,1872,s.137.
"CROSSING" defined - - - - - - Act26,1881,ss.123,124.
"CULPABLE HOMICIDE" defined - - - - - Act45,1860,s.299.
"CULPABLE HOMICIDE NOT AMOUNTING TO MURDER" defined - Act45,1860,s.300,*Exceps.*
"CULTIVATING RAIYAT" defined - - - - - Ben.Act9,1880,s.4. Ben.Act8,1895,s.2(*a*).
"CURRENCY DEPARTMENT" defined. *See* DEPARTMENT OF PAPER CURRENCY.
"CURRENCY NOTE" defined - - - - - Act20,1882,s.3(*2*).
"CUSTODY" defined. (*See also* MILITARY CUSTODY) - - Act14,1887,s.72(*2*).
"CUSTOM" defined. *See* GENERAL CUSTOM OR RIGHT.
"CUSTOMS-AUTHORITY" defined. *See* CHIEF CUSTOMS-AUTHORITY.
"CUSTOMS-COLLECTOR" defined - - - - - Act8,1878,s.3(*c*). Act9,1879,s.3.

WORDS AND PHRASES—*cont.* :

"CUSTOMS-OFFICER," definitions of. *See* CHIEF CUSTOMS-AUTHORITY; CHIEF CUSTOMS-OFFICER; CHIEF OFFICER OF CUSTOMS; CUSTOMS-COLLECTOR.

"CUSTOMS-PORT" defined — Act8,1878,s.3(*d*). Act2,1896,s.3(8).

"CUSTOMARY EASEMENTS" defined — Act5,1882,s.18.

"DACOITY" defined — Act45,1860,s.391.

"DAMAGE BY FIRE" defined — Act20,1891,s.173(3). Bom.Act3,1888,s.363. Mad.Act3,1888,s.61.

"DANGEROUS DISEASE" defined — Bom.Act3,1888,s.3(*aa*).

"DANGEROUS PETROLEUM" defined — Act12,1886,s.3(2).

"DAROGHA" defined. *See* POLICE DAROGHA.

"DAUGHTER" defined — Act10,1865,s.87. Act1,1869,s.21.

"DAUGHTER-IN-LAW" defined — Act21,1870,s.6.

"DAY" defined. *See* APPOINTED DAY; PRESCRIBED DAY; WORKING DAY.

"DEATH" defined — Act45,1860,s.46.

"DEBT" defined. (*See also* PRIVATE DEBT; PUBLIC DEBT) — Act6,1882,s.130. Act7,1889,s.4(2). Bom.Act7,1866,s.7.

"DEBTOR" defined. *See* JUDGMENT-DEBTOR; PRINCIPAL DEBTOR.

"DECK-LINES" defined — 57-8V.c.60,s.437(1).

"DECLARATION" defined — Act45,1860,s.200,*Expln.*

"DECISION, FINAL" defined — Act14,1882,s.13,*Expln.iv.*

"DECISION OF A COURT OF COMPETENT JURISDICTION" defined — N.&O.Act3,1892,s.13, *Expln.*

"DECORATION" defined. *See* MILITARY DECORATION.

"DECREE" defined. (*See also* COURT WHICH PASSED A DECREE) — Act14,1882,ss.2,594.

"DECREE OF COURT" defined — Act22,1886,s.71.

"DECREES CAPABLE OF EXECUTION" defined — Act14,1882,s.246,*Expln.*

"DECREE-HOLDER" defined — Act14,1882,s.2. Ben.Act7,1880,ss.6(*a*),8.

"DEED OF SETTLEMENT" defined — Act12,1895,s.3(1).

"DEFAMATION" defined — Act45,1860,s.499.

"DEFAULTER" defined. (*See also* REVENUE DEFAULTER) — Act2,1876,s.44. Act18,1881,s.91. Act2,1886,s.3(8). Act17,1887,s.3(8). Act1,1890,s.2(3). Act19,1873,s.148. Bom.Act5,1879,s.147. Reg.2,1877,s.74. Reg.1,1889,s.6(2). Reg.3,1889,s.38(3).

"DEFENDANT" defined — Act15,1877,s.3. Act14,1882,s.582(am. Act7,1888,s.53). Bom.Act3,1876,s.3(2).

WORDS AND PHRASES—*cont.*:

"DELEGATES" defined. *See* DISTRICT DELEGATES.

"DELEGATION" defined - - - - - - Act2,1882,s.47,*Expln.*

"DELIVERY (OF GOODS SOLD)" defined - - - - Act9,1872,s.90.

"DEMAND" defined - - - - - - Ben.Act6,1870,s.53.
Ben.Act9,1879,s.29.

"DEMONSTRATIVE LEGACY" defined - - - - Act10,1865,s.137.
Act5,1881,s.3.

"DEPARTMENT" defined - - - - - - Act5,1869,Pt.I,cl.(*e*)(*ii*)
(ins.Act12,1894,s.4).

"DEPARTMENT OF PAPER CURRENCY" defined - - - Act20,1882,s.3.

"DEPENDENT (OF EMIGRANT)" defined - - - - Act1,1882,s.3[am.Act7,
1893,s.3(*3*)].
Act21,1883,s.6(*3*).
Ben.Act1,1889,s.2.

"DEPENDENT TALUK" defined - - - - - Ben.Reg.19,1793,s.6.

"DEPOSIT" defined. (*See also* COMPULSORY DEPOSIT) - - Act5,1873,s.3.

"DEPOSITION" defined - - - - - - 44-5V.c.69,s.39.

"DEPOSITOR" defined - - - - - - Act5,1873,s.3.

"DEPÔT" defined - - - - - - Ben.Act2,1888,s.3.

"DEPUTY COLLECTOR" defined. (*See also* INDEPENDENT DEPUTY COLLECTOR) - - - Ben.Act5,1875,s.2.
Ben.Act8,1876,s.4(*vii*).
Ben.Act1,1879,s.2.
Bom.Act2,1890,s.3(*b*).

"DEPUTY COLLECTORATE" defined - - - - Act6,1853,s.5.

"DEPUTY COMMISSIONER" defined. (*See also* COLLECTOR) - Act20,1883,s.3(*9*).
Act9,1886,s.2(*1*).
Act15,1887,s.3(*3*).
Act3,1893,s.2.
Ben.Act5,1887,s.2.
Bom.Act3,1888,s.3(*e*).
Reg.3,1881,s.2.
Reg.2,1886,s.2(*2*).
Reg.4,1890,s.3(*3*).
Reg.5,1890,s.2(*1*).
Reg.5,1893,s.3(*2*).
Reg.6,1893,s.2(*1*).
Reg.1,1894,s.10(*d*).

"DEPUTY INSPECTOR-GENERAL" defined - - - Bom.Act4,1890,s.3(*a*).

"DESCENDANT" defined - - - - - - Act30,1839,s.1.
Act10,1865,s.86.
Act1,1869,s.21.

"DESCENT" defined - - - - - - Act30,1839,s.1.

"DESERTION" defined - - - - - - Act4,1869,s.3(*9*).
Act14,1887,ss.19,82
(*7*).

"DESIGN" defined. (*See also* NEW AND ORIGINAL DESIGN) - Act5,1888,s.50(*1*).

"DEVISEE" defined - - - - - - Act27,1866,s.2.

"DHABA LAND" defined - - - - - - Bom.Act1,1880,s.3(*9*).

WORDS AND PHRASES—*cont.*:

"DHARKARI" defined - - - - - - Bom.Act1,1880,s.3(*d*).
"DIE WITHOUT ISSUE" defined - - - - - Act25,1838,s.24.
"DIPLOMA" defined - - - - - - 49-50V.c.48,s.27.
"DIRECT DAMAGE" defined - - - - - Ben.Act2,1888,s.207.
"DIRECTORS" defined. (*See also* BOARD) - - - Act11,1876,s.3.
"DISABILITY" defined - - - - - - 33V.c.14.s.17.
"DISAFFECTION" defined - - - - - Act45,1860,s.124A,*Expln.*
"DISCONTINUOUS EASEMENT" defined - - - - Act5,1882,s.5.
"DISEASE" defined. (*See also* DANGEROUS DISEASE) - - Ben.Act8,1880,s.2.
"DISEASED" defined - - - - - - Act20,1879,s.2.
"DISHONESTLY" defined. (*See also* FRAUDULENTLY) - - Act45,1860,s.24.
"DISHONOURED BY NON-ACCEPTANCE" defined - - - Act26,1881,s.91.
"DISHONOURED BY NON-PAYMENT" defined - - - Act26,1881,s.92.
"DISPOSITION OF UNOWNED LANDS" defined - - - Act18,1881,s.41.
"DISPROVED" defined - - - - - - Act1,1872,s.9.
"DISQUALIFIED PROPRIETOR" defined - - - - Ben.Act4,1870,s.1.
"DISTRAINED PROPERTY" defined - - - - Act12,1881,s.169(ad.Act 14,1886,s.4).
"DISTRAINING OFFICER" defined - - - - Mad.Act6,1867,s.6.
"DISTRAINER" defined - - - - - - Act12,1881,s.169(ad.Act 14,1886,s.4).
"DISTRESS" defined - - - - - - Act12,1881,s.169(ad.Act 14,1886,s.4).
"DISTRIBUTION (OF ASSETS)" defined - - - - Act2,1874,s.54,*Expln.*

"DISTRICT" defined. (*See also* CIVIL DISTRICT COLLECTORATE; GENERAL POLICE-DISTRICT; LABOUR-DISTRICT; MUNICIPAL DISTRICT; SCHEDULED DISTRICT; SEPARATE DISTRICT SUB-DISTRICT; VACCINATION DISTRICT) - Act20,1856,s.61. Act8,1873,s.3(*8*). Act3,1877,s.3. Act13,1879,s.3. Act10,1882,s.7. Act14,1882,s.2. Act5,1886,s.3(*1*). Act1,1890,s.2(*1*). Ben.Act6,1873,s.3. Ben.Act1,1876,s.2. Ben.Act7,1876,s.3(*14*). Ben.Act9,1880,s.4. Ben.Act2,1882,s.3. Bom.Act7,1867,s.1. Bom.Act4,1890,s.3(*d*). Mad.Act5,1884,s.3(*i*). Reg.1,1894,s.10(*c*).

"DISTRICT COLLECTOR" defined. (*See also* COLLECTOR) - Ben.Act1,1895,s.4(*1*). Mad.Act1,1891,s.3(*8*).

"DISTRICT COURT" defined - - - - - Act4,1860,s.3(*3*)[am.Act 18,1884,s.23(*a*)]. Act3,1877,s.3. Act6,1882,s.3. Act14,1882,s.2. Act11,1886,s.3(*13*).

WORDS AND PHRASES—*cont.*:

"DISTRICT COURT" defined—*cont.* - - - - Act5,1888,ss.4(*9*)&50(*4*). Act7,1889,s.3(*1*). Act8,1890,s.4(*4*). Reg.1,1894,s.11(*e*).

"DISTRICT DELEGATES" defined - - - - - Act10,1865,s.235A(ins. Act6,1881,s.2). Act5,1881,s.52.

"DISTRICT FOREST-OFFICER" defined - - - - Mad.Act5,1882,s.2.

"DISTRICT JUDGE" defined - - - - Act10,1865,s.3. Act4,1869,s.3(*2*)(am. Act18,1884,s.2). Act5,1881,s.3. Act10,1897,s.3(*15*). Mad.Act1,1889,s.5. N.&O.Act1,1887,s.2(*14*). N.&O.Act3,1892,s.2(*4*). N.&O.Act2,1896,s.3(*3*). Reg.1,1894,s.10(*e*).

"DISTRICT MAGISTRATE" defined. (*See also* MAGISTRATE OF THE DISTRICT) - - - Act11,1886,s.3(*12*). Act5,1892,s.2(*3*). Act8,1897,s.4(c). Mad.Act7,1884,s.29.

"DISTRICT MUNSIF" defined - - - - - Mad.Act1,1889,s.5.

"DISTRICT POLICE" defined - - - - - Bom.Act8,1867,s.1.

"DISTRICT POLICE-STATION" defined - - - - Bom.Act8,1867,s.22.

"DISTRICT SUPERINTENDENT" defined - - - - Act5,1861,s.1(ins.Act8, 1895,s.1). Bom.Act8,1867,s.1. Bom.Act4,1890,s.3(*a*). Reg.3,1881,s.2. Reg.1,1894,s.10(*9*).

"DIVISION" defined. (*See also* LOCAL DIVISION) - - Mad.Act1,1884,s.3(*h*).

"DIVISIONAL CANAL-OFFICER" defined - - - - Act8,1873,s.3.

"DOCK" defined - - - - - - - Bom.Act6,1879,s.3(*8*). Mad.Act2,1886,s.3(*10*).

"DOCUMENT" defined. (*See also* FORGED DOCUMENT; INSTRUMENT; MAKING A FALSE DOCUMENT; PRIVATE DOCUMENT; PUBLIC DOCUMENT) - - - - - 52-3V.c.52,s.8. Act45,1860,s.29. Act1,1872,s.3. Act1,1880,s.3. Act15,1889,s.2(*3*). Act10,1897,s.3(*16*). Mad.Act1,1891,s.3(*9*).

"DOMESTIC PURPOSES" defined. *See* SUPPLY OF WATER FOR DOMESTIC PURPOSES.

"DOMINANT HERITAGE" defined - - - - - Act5,1882,s.4.

"DOMINANT OWNER" defined - - - - - Act5,1882,s.4.

"DONEE" defined - - - - - - Act4,1882,s.122.

"DONOR" defined - - - - - - Act4,1882,s.122.

"DRAIN" defined. (*See also* MUNICIPAL DRAIN) - - Act17,1884,s.2(ins.Act 21,1891,s.1. Bom.Act3,1888,s.3(*u*). N.&O.Act3,1894,s.3(*b*).

WORDS AND PHRASES—*cont.*:

"DRAINAGE-CONNECTION" defined — Act17,1884,s.2(ins.Act21, 1891,s.1).

"DRAINAGE-WORK" defined — Act8,1873,s.3(3). Ben.Act3,1876,s.3(3). Bom.Act7,1879,s.3(3).

"DRAMATIC PIECE" defined — 5-6V.c.45,s2.

"DRAWEE" defined — Act26,1881,s.7.

"DRAWEE IN CASE OF NEED" defined — Act26,1881,s.7.

"DRAWER" defined — Act26,1881,s.7.

"DRIFT" defined — Mad.Act7,1871,s.1.

"DRUG" defined. (*See also* INTOXICATING DRUG) — Ben.Act2,1888,s.3.

"DUCT" defined — Reg.8,1887,s.2(5).

"DUE COURSE" defined. *See* HOLDER IN DUE COURSE; PAYMENT IN DUE COURSE.

"DULY STAMPED" defined — Act1,1879,s.3(10).

"DUTY" defined. (*See also* MUNICIPAL DUTY; PROBATE DUTY; TOWN DUTIES) — Act11,1882,s.7.

"EASEMENT" defined. (*See also* APPARENT EASEMENT; CONTINUOUS EASEMENT; DISCONTINUOUS EASEMENT; NON-APPARENT EASEMENT) — Act15,1877,s.3. Act5,1882,s.4.

"EASEMENT IMPLIEDLY RELEASED" defined — Act5,1882,s.38,*Expln.1.*

"EASEMENT OF NECESSITY" defined — Act5,1882,s.13.

"EAST INDIA STOCK" defined — 36V.c.17,s.2.

"EFFECTS" defined — 57-8V.c.60,s.742.

"ELECTRIC LINE" defined — Ben.Act9,1895,s.2(*d*).

"ELECTRICITY" defined — Act13,1887,s.2(1). Ben.Ac 9,1895,s.2(*c*).

"EMBANKMENT" defined. (*See also* FIELD EMBANKMENT; FLOOD EMBANKMENT; PUBLIC EMBANKMENT; STREAM-EMBANKMENT) — Act32,1855,s.2. Act13,1877,s.2. Ben.Act6,1873,s.3. Ben.Act2,1882,s.3.

"EMBANKMENT-OFFICER" defined — Act13,1877,s.2.

"EMIGRANT" defined — Act21,1883,s.2(2). Ben.Act1,1889,s.2.

"EMIGRANT-VESSEL" defined — Act21,1883,s.6(*8*).

"EMIGRATE" defined — Act1,1882,s.3[am.Act 7,1893,s.3(2)]. Act21,1883,s.6(*1*). Ben.Act1,1889,s.2.

"EMIGRATION" defined — Act21,1883,s.6(*1*).

"EMOLUMENTS" defined — Mad.Act3,1895,s.4.

"EMPLOYED" defined. (*See also* ACTUALLY EMPLOYED) — Act15,1881,s.2.

"EMPLOYER" defined — Act1,1882,s.3.

"ENACTMENT" defined — Act10,1897,s.3(*17*).

"ENCROACHMENT" defined — Bom.Act2,1876,s.29.

WORDS AND PHRASES—*cont.* :

"ENCUMBRANCE" defined. *See* INCUMBRANCE.

"ENDORSED" defined. *See* INDORSED.

"ENDORSEE" defined. *See* INDORSEE.

"ENDORSEMENT" defined. *See* INDORSEMENT.

"ENDORSER" defined. *See* INDORSER.

"ENEMY" defined. (*See also* ALIEN ENEMY) - - - 43-5V.c.58,s.190(*20*). Act5,1869,Pt.I,cl.(*e*)(*13*) (ins.Act12,1894,s.4). Act14,1887,s.2(*1*)(*g*).

"ENGINE" defined. *See* FIXED ENGINE.

"ENGINEER" defined - - - - - - Ben.Act6,1873,s.3. Ben.Act2,1882,s.3. Ben.Act8,1895,s.2(*h*). Bom.Act6,1879,s.24. Mad.Act1,1884,s.3(*j*)(am. Mad.Act2,1892,s.3).

"ENGLISH MORTGAGE" defined - - - - - Act4,1882,s.58(*e*).

"ENHANCEMENT OR REDUCTION OF RENT" defined - - Act16,1887,ss.27(*4*), 28(*4*).

"ENJOYMENT" defined. (*See also* BENEFICIAL ENJOYMENT) - Act5,1882,s.15,*Expln.1.*

"ENQUIRY" defined. *See* INQUIRY.

"ENTITLED" defined. *See* PERSON LAST ENTITLED.

"ENTITLED TO ACT" defined - - - - - Act1,1894,s.3(*g*).

"EQUIPPING" defined - - - - - - 33-4V.c.90,s.30.

"ERECT A BUILDING" defined - - - - - Bom.Act3,1888,s.337(*2*).

"ERECT ANY BUILDING" defined - - - - - Act18,1889,s.52,*Expln.* Reg.5,1886,s.35,*Expln.*

"ERECT OR RE-ERECT ANY BUILDING" defined - - - Act17,1884,s.75(*4*)(am. Act21,1891,s.4). Act20,1891,s.9.

"ERECT OR RE-ERECT ANY HOUSE, NOT BEING A HUT" defined - Ben.Act3,1884,s.240(ins. Ben.Act4,1894,s.68).

"ESTABLISHED PAR VALUE" defined - - - - Act13,1876,s.10(compare Act14,1882,s.610).

"ESTATE" defined. (*See also* ISTIMRARI ESTATE; JOINT INDIVIDUAL ESTATE; PARENT ESTATE; PERMANENTLY-SETTLED ESTATE; PRIVATE ESTATE; PROPRIETARY ESTATE; SEPARATE ESTATE; TEMPORARILY-SETTLED ESTATE; *and see* PERSONAL ESTATE; REAL ESTATE) - - - Act1,1869,s.2. Act7,1870,s.7,*Expln.* Act3,1878,s.3 Act1,1882,s.3. Act8,1885,s.3(*1*). Act16,1887,s.4(*9*). Act17,1887,s.3(*1*). Act9,1889,ss.4(*2*),9(*2*). Ben.Act7,1868,s.1. Ben.Act4,1870,s.1. Ben.Act6,1873,s.3. Ben.Act5,1875,s.2. Ben.Act7,1876,s.3(*2*). Ben.Act8,1876,s.4(*viii*). Ben.Act9,1879,s.3. Ben.Act6,1880,s.3. Ben.Act9,1880,ss.4,40A

WORDS AND PHRASES—*cont.*:

"ESTATE" defined—*cont.* - - - - - - (ins.Ben.Act2, 1881,s.4). Ben.Act2,1882,s 3 Ben.Act8,1895,s.2(*b*). Bom.Act5,1879,s.3(*5*). Mad.Act2,1894,s.4(am. Mad.Act3,1895). Mad.Act3,1896,s.2. N.&O.Act5,1894,s.3(*3*). Reg.1,1886,s.3(*b*). Reg.6,1893,s.2(*4*).

"EUNUCH" defined - - - - - - Act27,1871,s.24.

"EUROPEAN" defined. (*See also* PERSON OF EUROPEAN EXTRACTION) - - - - - Act24,1855,s.15.

"EUROPEAN BRITISH SUBJECT" defined - - - - Act21,1879,s.3. Act10,1882,s.4(*n*). Act8,1890,s.4(*7*).

"EVIDENCE" defined. (*See also* CONCLUSIVE EVIDENCE; CONTINUOUS PROOF; FABRICATING FALSE EVIDENCE; GIVING FALSE EVIDENCE; ORAL EVIDENCE; PRIMARY EVIDENCE; SECONDARY EVIDENCE) - - - - Act24,1870,s.16. Act1,1872,s.3. Act6,1876,s.15. Reg.4,1872,s.31.

"EXAMINATION-IN-CHIEF" defined - - - - Act1,1872,s.137.

"EXCHANGE" defined. (*See also* BILL OF EXCHANGE; ESTABLISHED PAR VALUE) - - Act4,1882,s.118.

"EXCISE-OFFICER" defined. (*See also* ABKARI OFFICER) - Act12,1896,s.44(*2*). Ben.Act7,1878,s.4.

"EXCISEABLE ARTICLE" defined - - - - - Ben.Act7,1878,s.4.

"EXCUSE" defined. *See* LAWFUL EXCUSE.

"EXECUTOR" defined - - - - - - Act10,1865,s.3. Act5,1881,s.3.

"EXECUTOR OF HIS OWN WRONG" defined - - - Act10,1865,s.265.

"EXPECTING TO BE A PUBLIC SERVANT" defined - - - Act45,1860,s.161,*Expln.*

"EXPERT" defined - - - - - - Act1,1872,s.45.

"EXPLOSIVE" defined - - - - - - Act4,1884,s.4(*1*). Act20,1891,s.3(*6*).

"EXPORT" defined - - - - - - Act1,1878,s.3. Act11,1878,s.6,*Expln.* Bom.Act5,1878,s.3(*10*). Mad.Act1,1886,s.3(*16*).

"EXPRESS AUTHORITY" defined - - - - - Act9,1872,s.187.

"EXPRESS PROMISE" defined - - - - - Act9,1872,s.9.

"EX-PROPRIETARY TENANT" defined - - - - Act12,1881,s.7. Reg.2,1877,s.41.

"EXTENT OF INTEREST" defined - - - - - Ben.Act7,1876,s.3(*3*).

"EXTORTION" defined - - - - - - Act45,1860,s.383.

"EXTRADITION CRIME" defined - - - - - 33-4V.c.52,s.26.

WORDS AND PHRASES—*cont.*:

"EXTRAORDINARY RESOLUTION" defined - - - - Act6,1882,s.173.
"FABRICATING FALSE EVIDENCE" defined - - - Act45,1860,s.192.
"FACT" defined. (*See also* QUESTION OF FACT) - - - Act1,1872,s.3.
"FACT IN ISSUE" defined - - - - - Act1,1872,s.3,*Expln.*
"FACTORY" defined. (*See also* SALT FACTORY) - - - Act15,1881,s.2.
"FALLOW" defined - - - - - - Reg.6,1893,s.2(*5*),*Expln.*
"FALSE DOCUMENT" defined. *See* MAKING A FALSE DOCUMENT.
"FALSE EVIDENCE" defined. *See* FABRICATING FALSE EVIDENCE; GIVING FALSE EVIDENCE.
"FALSE PROPERTY-MARK" defined. *See* USING A FALSE PROPERTY-MARK.
"FALSE TRADE-DESCRIPTION" defined - - - - Act4,1889,s.2(*5*).
"FALSE TRADE-MARK" defined. *See* USING A FALSE TRADE-MARK.
"FAMILY" defined - - - - - - Bom.Act3,1874.
"FARAKHABAD RUPEE" defined - - - - - Act45,1860,s.230(*e*)[ins. Act6,1896,s.1(*2*)].
"FATHER" defined. (*See also* PARENT) - - - - Act10,1897,s.3(*18*). Mad.Act1,1891,s.3(*30*).
"FELLOW" defined - - - - - - Bom.Act3,1888,s.3(*h*).
"FELLOWS' ELECTION" defined - - - - - Bom.Act3,1888,s.3(*j*).
"FERMENTED LIQUOR" defined. (*See also* LIQUOR; TARI) - Act12,1896,s.3(*h*). Ben.Act7,1878,s.4.
"FERRY" defined. (*See also* MUNICIPAL FERRY; PRIVATE FERRY; PUBLIC FERRY) - - Act17,1878,s.3. Act9,1890,s.3(*2*). Ben.Act1,1885,s.5. Mad.Act2,1890,s.3.
"FICTITIOUS STAMP" defined - - - - - Act5,1860,s.263(*3*)(ins. Act3,1895,s.2.
"FIELD" defined - - - - - - - Reg.8,1887,s.2(*1*).
"FIELD-EMBANKMENT" defined - - - - - Reg.8,1887,s.2(*3*).
"FINANCIAL COMMISSIONER" defined - - - - Act16,1887,s.75(*2*). Act17,1887,s.7(*4*).
"FINANCIAL YEAR" defined - - - - 52-3V.c.63,s.22. Act1,1883,s.2. Act20,1883,s.3(*5*). Act10,1897,s.3(*19*). Ben.Act3,1885,s.5. Mad.Act1,1891,s.3(*10*). N.&O.Act1,1887,s.2(*15*).
"FINE" defined - - - - - - - Act14,1866,s.2.
"FIRM" defined - - - - - - - Act9,1872,s.239.
"FIRST CHARGE" defined - - - - - - Act7,1878,s.82. Mad.Act5,1882,s.67.
"FIRST COUSIN" defined - - - - - - Act10,1865,s.86.
"FIRST COUSIN ONCE REMOVED" defined - - - - Act10,1865,s.86.

WORDS AND PHRASES—*cont.*:

"FISH" defined . . . . . Act4,1897,s.3(*1*). Act7,1875,s.2. Ben.Act2,1889,s.2.

"FISH," to, defined . . . . . Act7,1875,s.2. Reg 3,1889,s.32(*1*)(*b*).

"FISHERY" defined . . . . . Act7,1875,s.2. Reg.3,1889,s.32(*1*)(*a*).

"FIXED ENGINE" defined . . . . . Act7,1875,s.2. Act4,1897,s.3(*2*). Ben.Act2,1889,s.2. Reg.3,1889,s.32(*1*)(*c*).

"FLOOD-EMBANKMENT" defined . . . . . Ben.Act3,1876,s.3(*4*). Bom.Act7,1879,s.3(*4*).

"FLUVIAL ACTION" defined . . . . . Act8,1885,s.30,*Expln.*

"FOOD" defined . . . . . Ben.Act3,1884,s.251(am. Ben.Act3,1886,s.2). Ben.Act2,1888,s.364.

"FORCE" defined. (*See also* COERCION; CRIMINAL FORCE) . Act45,1860,s.349.

"FOREIGN COUNTRY" defined . . . . . 44-5V.c.58,s.190(*24*). Act15,1877,s.3.

"FOREIGN COURT" defined . . . . . Act14,1882,s.2.

"FOREIGN EXCISEABLE ARTICLE" defined . . . . . Ben.Act7,1878,s.4(ins. Ben.Act4,1881,s.3).

"FOREIGN-GOING SHIP" defined . . . . . 57-8V.c.60,s.742.

"FOREIGN INSTRUMENT" defined . . . . . Act26,1881,s.12.

"FOREIGN JUDGMENT" defined . . . . . Act 14,1882,s.2.

"FOREIGN LIQUOR" defined . . . . . Mad.Act1,1886,s.3(*12*).

"FOREIGN PORT" defined . . . . . Act8,1878,s.3(*e*). Act2, 1896,s.3(*8*).

"FOREIGN SHIP" defined. (*See also* SHIP OF A FOREIGN STATE) . 41-2V.c.73,s.7. Act10,1889,Sch.1,Pt.II, *Expln.1.*

"FOREIGN STATE" defined . . . . . 33-4V.c.90,s.30. 36-7V c.59,s.2. 36-7V.c 88,s.2. Act4,1874,s.2.

"FOREIGN STEAMER" defined . . . . . Act10,1889,Sch.1,Pt.II, *Expln.1.*

"FOREIGN-GOING SHIP" defined . . . . . Act1,1859,s.118(am. Act6,1891,s.5).

"FOREIGNER" defined . . . . . Act3,1864,s.1.

"FOREST" defined. *See* PROTECTED FOREST; RESERVED FOREST; STATE FOREST; VILLAGE FOREST.

"FOREST-OFFENCE" defined . . . . . Act7,1878,s.2. Act19,1881,s.3. Mad.Act5,1882,s.2. Reg.6,1887,s.2(*5*). Reg.5,1890,s.2(*8*). Reg.7,1891,s.3(*5*). Reg.6,1893,s.2(*8*).

WORDS AND PHRASES—*cont.*:

"FOREST-OFFICER" defined. (*See also* CHIEF FOREST-OFFICER; DISTRICT FOREST-OFFICER; VILLAGE FOREST-OFFICERS) - - Act7,1878,s.2. Act19,1881,s.3. Mad.Act5,1882,ss.2,34. Reg.6,1874,s.2. Reg.6,1887,s.2(*1*). Reg.5,1890,s.2(*3*). Reg.7,1891,s.3(*1*). Reg.6,1893,s.2(*2*).

"FOREST-PRODUCE" defined - - - - - Act7,1878,s.2(am.Act5,1890,s.2). Act19,1881,s.3(am.Act 5,1890,s.15). Mad.Act5,1882,s.2. Reg.6,1887,s.2(*4*)[am. Reg.8,1890,s.2(*5*)]. Reg.5,1890,s.2(*7*). Reg.7,1891,s.3(*4*). Reg.6,1893,s.2(*9*).

"FORGED DOCUMENT" defined - - - - - Act45,1860,s.470.

"FORGERY" defined - - - - - - Act45,1860,ss.463,464, *Expln.*

"FORMAL ADJUDICATION" defined - - - - Bom.Act2,1863,s.16(*e*). Bom.Act7,1863,s.32(*e*).

"FORMAL WARNING" defined - - - - - Act9,1894,s.46(*1*),*Expln.*

"FORT" defined - - - - - - - Act13,1881,s.2.

"FRAUD" defined. (*See also* CHEATING) - - - Act9,1872,s.17.

"FRAUDULENTLY" defined. (*See also* DISHONESTLY) - - Act45,1860,s.25. Act15,1887,s.3(*6*). Act5,1892,s.2(*6*). Reg.3,1881,s.2. Reg.2,1888,s.2(*4*). Reg.4,1890,s.3(*5*).

"FREE CONSENT" defined - - - - - - Act9,1872,s.14.

"FREE OF REVENUE" defined. *See* REVENUE-FREE.

"FROM" defined - - - - - - - Act10,1897,s.9(*1*). Bom.Act3,1886,s.3(*22*).

"FUGITIVE CRIMINAL" defined - - - - - 33-4V.c.52,s.26.

"FUGITIVE CRIMINAL OF A FOREIGN STATE" - - - 33-4V.c.52,s.26.

"FUNDS" defined. (*See also* CHAUKIDARI FUND; LOCAL FUND; MUNICIPAL FUND; PROVIDENT FUND; RAILWAY PROVIDENT FUND) - Act11,1879,s.3. Mad.Act1,1888,s.2. Reg.4,1892,s.2.

"GAINING WRONGFULLY" defined - - - - - Act45,1860,s.23.

"GAME" defined. (*See also* WILD BIRD) - - - Mad.Act2,1879,s.2.

"GAMING" defined. (*See also* INSTRUMENT OF GAMING) - Act21,1857,s.59(am. Ben.Act3,1897,s.3). Ben.Act4,1866,s.3(am. Ben.Act3,1897,s.2). Ben.Act2,1867,s.1(am. Ben.Act3,1897,s.4). Bom. Act4,1887,s.3(ins. Bom.Act1, 1890).

WORDS AND PHRASES—*cont.*:

"GAMING AND PLAYING" defined - - - - - Act16,1884,s.2(*1*).

"GAMING-HOUSE" defined. *See* COMMON GAMING-HOUSE.

"GAZETTE" defined. (*See also* BRITISH BURMA GAZETTE; OFFICIAL GAZETTE) - - - N.&O.Act1,1887,s.2(*16*).

"GAZETTED OFFICER" defined - - - - - Act14,1887,s.2(1)(*b*).

"GENERAL CUSTOM OR RIGHT" defined - - - - Act1,1872,s.48,*Expln.*

"GENERAL MEETING" defined - - - - - Act11,1876,s.3.

"GENERAL OFFICER OF THE COMMAND" defined - - Act5,1869,Pt.I,cl.(*e*)(*16*) (ins.Act12,1894,s.4).

"GENERAL POLICE-DISTRICT" defined - - - - Act24,1859,s.1. Act5,1861,s.1.

"GIFT" defined - - - - - - - - Act4,1882,s.122.

"GIFT MADE IN CONTEMPLATION OF DEATH" defined - - Act10,1865,s.178.

"GIVING FALSE EVIDENCE" defined - - - - Act45,1860,s.191.

"GOOD FAITH" defined - - - - - - Act45,1860,s.52. Act15,1877,s.3. Act10,1897,s.3(*20*). Mad.Act1,1891,s.3(*11*).

"GOODS" defined. (*See also* COTTON GOODS) - - - Act9,1872,s.76. Act11,1876,s.3. Act4,1889,s.2(*4*). Act9,1890,s.3(*9*). Act2,1896,s.3(*5*). Bom.Act6,1879,s.3(*10*). Bom.Act6,1886,s.2(*6*). Bom.Act5,1888,s.2(*f*). Mad.Act3,1883,s.2(iv). Mad.Act3,1885,s.3(*4*). Mad.Act2,1886,s.3(*12*).

"GOODS IN TRANSIT" defined - - - - - Act9,1892,s.100.

"GOODS PRODUCED" defined - - - - - Act2,1896,s.6,*Expln.*

"GOVERNING BODY" defined - - - - - Act21,1860,s.16. Act37,1850,s.23. Act30,1852,s.12. Act45,1860,ss.19,263A (*4*)(ins.Act3,1895,s.2). Act17,1864,s.1(ins.Act2, 1890,s1).

"GOVERNMENT" defined. (*See also* CHIEF COMMISSIONER; GOVERNMENT OF INDIA; GOVERNOR; GOVERNOR GENERAL; LIEUTENANT-GOVERNOR; LOCAL GOVERNMENT) - - - - Act2,1874,s.3. Act14,1882,s.2. Act13,1885,s.31. Act17,1885,s.12(*2*). Act18,1887,s.18(*2*). Act9,1890,s.137(*2*). Act10,1897,s.3(*21*). Bom.Act3,1886,s.3(*10*). Mad.Act5,1882,s.2. Reg.1,1888,s.11(*2*).

"GOVERNMENT OF INDIA" defined - - - - Act45,1860,s.16. Act10,1897,s.3(*22*). Bom.Act3,1886,s.3(*9*).

WORDS AND PHRASES—*cont.*:

"GOVERNMENT PLEADER" defined - - - - Act14,1882,s.2.

"GOVERNMENT PROVIDENT FUND" defined - - - Act9,1897,s.2(2).

"GOVERNMENT SECURITY" defined. (*See also* PUBLIC SECURITIES) Act13,1886,s.3(*1*).

"GOVERNMENT WARD" defined - - - - - Act17,1885,s.3(*1*). Reg.1,1888,s.3(*2*).

"GOVERNOR" defined - - - - - - 33-4V.c.14,s.17. 33-4V.c.52,s.26. 33-4V.c.90,s.30. 36-7V.c.88,s.2. 41-2V.c.73,s.7. 44-5V.c.69,Pt.4(s.39. 44-5V.c.58,s.190(*27*). 47-8V.c.31,s.18. 52-3V.c.63,s.18(*6*).

"GOVERNOR GENERAL" defined - - - - - 44-5V.c.58,s.190(*26*).

"GOVERNOR GENERAL IN COUNCIL" defined. *See* GOVERNMENT OF INDIA.

"GRANDCHILDREN" defined - - - - - Act10,1865,s.86. Act20,1870,s.6.

"GRANT OF MONEY OR LAND-REVENUE" defined - - - Act23,1871,s.3.

"GRANTEE" defined - - - - - - Act1,1869,s.2.

"GRATIFICATION" defined - - - - - Act45,1860,s.161,*Expln.*

"GRIEVOUS HURT" defined. (*See also* VOLUNTARILY CAUSING GRIEVOUS HURT) - - Act45,1860,s.320.

"GROSS INCOME" defined - - - - - - Act10,1892,s.2(*2*).

"GUARANTEE" defined. *See* CONTINUING GUARANTEE; CONTRACT OF GUARANTEE.

"GUARANTEED COMPANY" defined - - - - 42-3V.c.41,s.1.

"GUARDIAN" defined. (*See also* LAWFUL GUARDIAN) - - Act13,1880,s.2(*3*). Act8,1890,s.4(*2*). Ben.Act5,1880,s.2. Bom.Act3,1874,s.4. Bom.Act1,1877,s.2(*2*). Bom.Act4,1879,s.2(*2*). Bom.Act1,1892,s.46(*6*). Mad.Act4,1884,s.3(*xviii*). Mad.Act5,1884,s.3(*xv*).

"GUARDIANSHIP" defined. *See* KIDNAPPING FROM LAWFUL GUARDIANSHIP.

"HACK-STABLE" defined - - - - - - Mad.Act1,1884,s.3(*gg*). Mad.Act4,1884,s 3(*xiv*).

"HACKNEY-CARRIAGE" defined - - - - - Act14,1879,s.2. Ben.Act2,1891,s.3(*2*). Mad.Act3,1879,s.3.

"HARBOUR" defined - - - - - - 57-8V.c.60,s.742. Act45,1860,s.216B(ins. Act3,1894,s.8). Mad.Act2,1886,s.3(*3*).

"HEAD OF A FAMILY" defined - - - - - Bom.Act3,1874,s.4.

WORDS AND PHRASES—*cont.*:

"HEAD OF THE VILLAGE" defined — Mad.Reg.4,1816,s.3.

"HEADMAN" defined — Reg.1,1895,s.2(*4*). Reg.5,1896,s.2(*6*).

"HEALTH OFFICER" defined — Ben.Act4,1871,s.1(am. Mad.Act2,1892,s.3. Mad.Act1,1884,s.3(*j*).

"HEIR" defined. (*See also* SENIOR HEIR) — Act27,1866,s.2. Act1,1869,s.2. Act24,1870,s.2. Act21,1881,s.3. Act22,1886,s.48(*2*).

"HEMP" defined — Act12,1896,s.3(*k*).

"HER MAJESTY" defined. (*See also* QUEEN) — 7-8V.c.12,s.20. Act10,1897,s.3(*23*). Bom.Act3,1886,s.3(*8*). Mad.Act1,1891,s.3(*13*). Reg.3,1887,s.2.

"HER MAJESTY'S MILITARY FORCES" defined — 57-8V.c.45,s.4.

"HER MAJESTY'S NAVAL FORCES" defined — 57-8V.c.45,s.4.

"HER MAJESTY'S REGULAR FORCES" defined — 44-5V.c.58,s.190(*8*).

"HEREDITARY OFFICE" defined — Bom.Act3,1874,s.4.

"HEREDITARY TENURE" defined — Ben.Reg.37,1793,s.15.

"HEREITABLE AND TRANSFERABLE PROPERTY" defined — Bom.Act5,1879,s.73.

"HIGH COURT" defined — 48-9V.c.25,s.2. Act17,1864,s.1. Act10,1865,s.3. Act15,1865,s.2. Act21,1866,s.3. Act27,1866,s.2. Act28,1866,s.1. Act4,1869,s.3(*1*). Act2,1877,s.1. Act10,1882,ss.4(*i*)266. Act14,1882,s.614. Act5,1888,ss.4(*10*),50(*4*). Act11,1889,s.3(*4*). Act14,1891,s.3. Act7,1892,s.2(*3*). Act12,1893,s.3(*2*). Act10,1897,s.3(*24*). N.&O.Act1,1887,s.2(*17*). Reg.7,1886,s.1ofSch. Reg.5,1893,ss.4(*1*),10. Reg.1,1894,s.10(*a*). Reg.8,1896,Sch.cl.1.

"HIGHWAY" defined. *See* PUBLIC HIGHWAY.

"HIGH-WATER MARK" defined — Act11,1853,s.8. Act15,1879,s.2. Act10,1889,s.4(*4*). Ben.Act4,1887,s.2.

WORDS AND PHRASES—*cont.* :

"HIGH-WATER MARK" defined—*cont.* - - - - Bom.Act5,1879,s.37 *Expln.*; Bom.Act6,1886,s.2(2); Bom.Act5,1888,s.2(*b*).

"HILL-TRACT" defined - - - - - - Reg.1,1895,s.2(*l*).

"HILL TRIBE" defined - - - - - - Reg.1,1895,s.2(*2*).

"HISTORY-TICKET" defined - - - - - Act9,1894,s.3(*b*).

"HOLD" defined - - - - - - Act27,1866,s.2.

"HOLD LAND" to, defined - - - - - Bom.Act5,1879,s.3(*10*).

"HOLDER" defined. (*See also* DECREE-HOLDER; INFERIOR HOLDER; LANDHOLDER; SETTLEMENT-HOLDER; SHAREHOLDER; INFERIOR HOLDER; TENURE-HOLDER) - - Act26,1881,s.8.; Act9,1886,s.2(*1*).; Bom.Act2,1863,s.16(*f*).; Bom.Act7,1863,s.32(*f*).; Bom.Act3.1874,s.15(*4*).; Bm.Act5,1879,s.3(*11*).

"HOLDER OF LAND" defined. (*See also* LANDHOLDER) - - Ben.Act6,1880,s.3.

"HOLDER OF AN ESTATE OR TENURE" defined. (*See also* TENURE-HOLDER) - Ben.Act9,1880,s.4.; Ben.Act8,1895,s.2(*c*).

"HOLDER IN DUE COURSE" defined - - - - Act26,1881,s.9.

"*HOLDING*" defined. (*See also* ADJOINING HOLDING) - Act27,1866,s.2.; Act19,1883,s.3(*7*).; Act8,1885,s.3(*9*).; Act22,1886,s.37,*Expln.1*.; Act16,1887,s.4(*9*).; Act17,1887,s.3(3).; Ben.Act5,1876,s.6(*4*).; Ben.Act9,1880,s.4.; Ben.Act3,1884,s.6(*3*).; Bom.Act5,1879,ss.3(*12*), 47,64.

"HOLDING OF THE RAIYAT" defined - - - - Act10,1859,s.6.; Ben.Act1,1879,s.6.

"HOLIDAY" defined. *See* PUBLIC HOLIDAY.

"HOME-TRADE PASSENGER SHIP" defined - - - 57-8V.c.60,s.742.

"HOME-TRADE SHIP" defined - - - - - 57-8V.c.60,s.742.; Act1,1859,s.118(am.Act6, 1891,s.5).

"HOMICIDE" defined. *See* CULPABLE HOMICIDE; CULPABLE HOMICIDE NOT AMOUNTING TO MURDER.

"HONORARY ASSISTANT COMMISSIONER" defined - - - Act13,1879,s.15.

"HONORARY MAGISTRATE" defined - - - - Act15,1883,s.2.; Reg.5,1886,s.2(*3*).

"HONORARY MUNSIF" defined - - - - - N.&O.Act2,1896,s.3(*1*).

"HORSE" defined. (*See also* ANIMAL) - - - 44-5V.c.58,s.190(*40*).; Act16,1861,s.21(am.Act 16,1876).; Act20,1879,s.2.; Ben.Act8,1880,s 2.

WORDS AND PHRASES—*cont.* :

"HORSE" defined—*cont.* . . . . . Ben.Act2,1891,s.3(3). Mad.Act3,1879,s.3. Mad.Act1,1884,s.3(q). Mad.Act4,1884,s.3(xv).

"HOSPITAL PORT-DUES" defined . . . . . Act10,1889,s.49(2).

"HOUSE" defined. (*See also* COMMON GAMING-HOUSE) . . Act20,1856,s.6,1. Act2,1880,s.6. Act19,1884,s.2(4). Ben.Act5,1876,s.6(5). Ben.Act3,1884,s.6(4). Ben.Act2,1888,s.3. Mad.Act5,1884,s.3(xiii). N.&O.Act1,1891,s.2(d). Reg.1,1883,s.2.

"HOUSE-BREAKING" defined . . . . . Act45,1860,s.445.

"HOUSE-BREAKING BY NIGHT" defined . . . . . Act45,1860,s.446.

"HOUSE-GULLY" defined . . . . . Bom.Act3,1888,s.3(v).

"HOUSE PRODUCTIVE OF RENT" defined . . . . . Act20,1891,s.62(5).

"HOUSE-TRESPASS" defined. (*See also* LURKING HOUSE-TRESPASS; LURKING HOUSE-TRESPASS BY NIGHT) . . . . Act45,1860,s.442.

"HURT" defined. (*See also* GRIEVOUS HURT; VOLUNTARILY CAUSING HURT; VOLUNTARILY CAUSING GRIEVOUS HURT) . . . Act45,1860,s.319.

"HUSBAND" defined. (*See also* NATIVE HUSBAND) . . Act15,1865,s.2.

"HUT" defined . . . . . Ben.Act2,1888,s.3. Ben.Act1,1893,s.3(1).

"HYPOTHECATED" defined . . . . . Act10,1859,s.112.

"ILLEGAL" defined . . . . . Act45,1860,s.43.

"ILLEGAL OMISSION" defined . . . . . Mad.Act1,1891,s.3(36).

"IMMOVEABLE PROPERTY" defined. (*See also* REAL ESTATE) . Act10,1865,s.3. Act27,1866,s.2. Act28,1866,s.1. Act3,1877,s.3. Act4,1882,s.3. Act10,1892,s.2(1). Act10,1897,s.3(25). Ben.Act5,1876,s.6(6). Ben.Act9,1880,s.4. Ben.Act3,1884,s.6(5). Bom.Act6,1879,s.3(11). Bom.Act3,1886,s.3(16). Mad.Act1,1891,s.3(14). N.&O.Act1,1887,s.2(18). N.&.Act3,1892,s.2(6). Reg.1,1887,s.2.

"IMPERFECT PARTITION" defined . . . . . Act19,1873,s.107. Act17,1876,s.68. Act18,1881,s.136(3)(ins. Act16,1889,s.26). Reg.1,1886,s.96.

WORDS AND PHRASES—*cont.* :

"IMPLIED AUTHORITY" defined - - - - - Act9,1872,s.187.
"IMPLIED PROMISE" defined - - - - - Act9,1872,s.9.
"IMPLIED RELEASE" defined - - - - - Act5,1882,s.38,*Expln. II.*
"IMPORT" defined - - - - - - Act1,1878,s.3.
Act4,1884,s.4(*6*).
Act12,1886,s.3(*3*).
Act12,1896,s.3(*e*).
Bom.Act5,1878,s.3(*10*).
Mad.Act1,1886,s.3(*15*).
"IMPORTATION" defined - - - - - Act11,1878,s.6,*Expln.*
Act12,1886,s.3(*3*).
"IMPRISONMENT" defined. (*See also*, WRONGFUL CONFINEMENT) - Act10,1897,s.3(*26*).
Bom.Act3,1886,s.3(*14*).
Mad.Act1,1880,s.1.
Mad.Act5,1882,s.2.
Mad.Act1,1886,s.3(*6*).
Mad.Act3,1888,s.3.
Mad.Act4,1889,s.3(*c*).
Mad.Act1,1891,s.3(*15*).
N.&O.Act1,1887,s.2(*20*).
"IMPROVED LAND" defined - - - - - Ben.Act6,1880,s.3.
"IMPROVEMENT" defined - - - - - Act12,1881,s.44,*Expln.*
Act9,1883,s.3(*8*).
Act19,1883,s.4(*2*).
Act8,1885,s.76.
Act22,1886,s.26.
Act16,1887,s.4(*19*).
Mad.Act1,1887,s.3.
"INCESTUOUS ADULTERY" defined - - - - - Act4,1869,s.3(*6*).
"INCOME" defined. (*See also* GROSS INCOME; SOURCE OF INCOME) Act2,1886,s.3(*5*).
"INCREMENT TO ISLAND" defined - - - - Ben.Act4,1868,s.2.
"INCUMBRANCE" defined. (*See also* REGISTERED AND NOTIFIED INCUMBRANCE) - - - Act19,1873,s.3(*7*).
Act17,1876,s.2.
Act8,1885,s.161(*a*).
Act17,1887,s.3(*16*).
Bom.Act6,1888,s.2(*1*)(*e*).
"INCUMBRANCER" defined - - - - - Bom.Act6,1888,s.2(*1*)(*e*).
"INDEMNITY" defined. *See* CONTRACT OF INDEMNITY.
"INDEPENDENT DEPUTY COLLECTOR" defined - - - Act6,1853,s.5.
"INDEPENDENT TALUK" defined - - - - - Ben.Reg.19,1793,s.7.
"INDIA" defined. (*See also* BRITISH INDIA) - - - 44-5V.c.58,s.190(*21*).
47-8V.c.31,s.18.
52-3V.c.63,s.18(*5*).
53V.c.4,s.9(*1*).
Act1,1859,s.118.
Act20,1863,s.24.
Act5,1869,Pt.I,cl.(*e*)(*15*).
(ins.Act12,1894,s.4).
Act10,1897,s.3(*27*).
Mad.Act5,1866,s.1.

WORDS AND PHRASES—*cont.* :

"INDIA STOCK" defined - - - - - - 48-9V.c.25,s.2.
"INDIAN MARINE COURT" defined - - - - Act14,1887,s.2(*1*)(*h*).
"INDIAN RAILWAY COMPANY" defined. (*See also* RAILWAY COMPANY) - 48-9V.c.25,s.2. 57-8V.c.12,s.2.
"INDIAN WATERS" defined - - - - - 47-8V.c.38,s.3.
"INDORSED" defined - - - - - - Act3,1877,s.3.
"INDORSEE" defined - - - - - - Act26,1881,s.16.
"INDORSEMENT" defined - - - - - - Act3,1877,s.3. Act26,1881,s.15.
"INDORSEMENT IN BLANK" defined - - - - Act26,1881,s.16.
"INDORSEMENT IN FULL" defined - - - - Act26,1881,s.16.
"INDORSER" defined - - - - - - Act26,1881,s.15.
"INFERIOR HOLDER" defined - - - - - Bom.Act5,1879,s.3(*14*).
"INFLUENCE" defined. *See* UNDUE INFLUENCE.
"INHABITANT" defined - - - - - Act5,1861,s.15,*Expln.* (ins.Act8,1895,s.4). Act17,1884,s.2. Act20,1891,s.3(*3*). Mad.Act4,1884,s.3(iii). Reg.5,1886,s.2(*4*).
"INJUNCTION" defined. *See* TEMPORARY INJUNCTION.
"INJURY" defined - - - - - - Act45,1860,s.44.
"INLAND INSTRUMENT" defined - - - - - Act26,1881,s.11.
"INLAND STEAM-VESSEL" defined - - - - Act6,1884,s.5(*4*).
"INLAND WATER" defined - - - - - Act6,1884,s.5(*3*)(am.Act 3,1890,s.1). Act9,1890,s.3(*3*).
"INOCULATION" defined - - - - - Act13,1880,s.2(*5*). Mad.Act4,1884,s.3(xxi). Mad.Act5,1884,s.3(xviii).
"INQUIRY" defined - - - - - - Act10,1882,ss.4(*c*),428.
"INSOLVENCY" defined - - - - - - Act9,1872,s.96,*Expln.*
"INSOLVENT" defined - - - - - - Act4,1872,s.24.
"INSPECTOR" defined - - - - - - Act1,1882,s.3. Act18,1882,s.2. Act9,1890,s.3(8). Mad.Act4,1889,s.3(*h*).
"INSPECTOR OF POLICE" defined - - - - Ben.Act8,1880,s.2.
"INSPECTOR-GENERAL" defined - - - - - Act9,1894,s.3(*7*). Act8,1897,s.4(*b*). Bom.Act4,1890,s.3(*a*).
"INSPECTOR-GENERAL OF REGISTRATION" defined - - Ben.Act1,1876,s.2.
"INSTIGATE" defined - - - - - - Act45,1860,s.107,*Expln.1*
"INSTRUMENT" defined. (*See also* ASSURANCE; BILL OF EXCHANGE; BILL OF LADING; CHEQUE; CONVEYANCE; CURRENCY NOTE; DEED OF SETTLEMENT; DOCUMENT; FOREIGN INSTRUMENT; INLAND INSTRUMENT; LEASE; MORTGAGE DEED; NEGOTIABLE INSTRUMENT; POWER-OF-ATTORNEY; PROMISSORY NOTE; WILL) - Act4,1882,s.3.

WORDS AND PHRASES—*cont.* :

"INSTRUMENT OF GAMING" defined - - - - Act21,1857,s.59(am. Ben.Act3,1897,s.3). Act16,1884,s.2(*3*). Ben.Act4,1866,s.3(am. Ben.Act3,1897,s,2). Ben.Act2,1867,s 1(am. Ben.Act3,1897,s.4). Bom.Act4,1887,s.3(am. Bom.Act1,1890).

"INSTRUMENT OF PARTITION" defined - - - - Act1,1879,s.3(*11*).

"INSTRUMENT OF TRUST" defined - - - - Act2,1882,s.3.

"INSUFFICIENT SECURITY" defined - - - - Act4,1882,s.66,*Expln.* Act5,1882,s.10,*Expln.*

"INSURANCE COMPANY" defined - - - - Act6,1882,s.3.

"INTEREST" defined. *See* BENEFICIAL INTEREST; CONTINGENT INTEREST; PROTECTED INTEREST; VESTED INTEREST.

"INTERESTED PERSON" defined. *See* PERSON INTERESTED.

"INTERMEDIATE ADJUSTMENT OF ACCOUNT" defined - - Reg.3,1872,s.6,*Expln.* (ins.Reg 5,1893,s.24).

"INTERRUPTION" defined - - - - - Act15,1877,s.26,*Expln.* Act5,1882,s.15,*Expln.11.*

"INTESTACY" defined - - - - - - Act10,1865,s.25.

"INTIMIDATION" defined. *See* CRIMINAL INTIMIDATION.

"INTOXICATING DRUG" defined - - - - Act13,1889,s.3(*1*)(*d*). Act12,1896,s.3(*f*). Ben.Act7,1878,s.4 (am. Act16,1895). Bom.Act5,1878,s.3(*9*). Mad.Act1,1886,s.33(*13*).

"INVENTION" defined. (*See also* NEW INVENTION) - - Act5,1888,s.4(*1*).

"INVENTOR" defined. (*See also* ACTUAL INVENTOR) - - Act5,1888,s.4(*2*).

"INVESTIGATION" defined - - - - - Act10,1882,s.4(*b*).

"IRRIGATION-WORK" defined - - - - - Mad.Act4,1886,s.2.

"ISSUE" defined, (*See also* CHILDREN) - - - Act10,1865,s.86.

"ISSUE," to, defined - - - - - - Act1,1889,s.2.

"ISSUES" defined - - - - - - Act14,1882,s.146.

"ISTIMRARDAR" defined - - - - - Reg.2,1877,s.20.

"ISTIMRARI ESTATE" defined - - - - - Reg.2,1887,s 20.

"JAGIR LAND" defined - - - - - - Act20,1881,s.3. Act20,1896,s.2(*1*).

"JAGIRDAR" defined. (*See also* TALUKDAR, THAKUR OR JAGIRDAR) - - - - - Act20,1881,s.3. Act16,1887,s.4(*15*). Act20,1896,s.2(*2*).

"JAIL" defined. (*See also* CIVIL JAIL; PRISON) - - Mad.Act5,1869,s.5.

"JAMA" defined - - - - - - - Bom.Act1,1880,s.3(*4*). Bom.Act6,1888,s.2(*1*)(*c*).

"JOINT-STOCK COMPANY" defined. (*See also* COMPANY) - Act6,1882,s.226.

"JOINT UNDIVIDED ESTATE" defined - - - - Ben.Act8,1876,s.4(ix).

WORDS AND PHRASES—*cont.*:

"JUDGE" defined. (*See also* CHIEF JUSTICE; DISTRICT JUDGE; SUBORDINATE JUDGE) - - - Act45,1860,s.19. Act18,1879,s.3. Act14,1882,s.2. Act18,1891,s.2(*6*). Reg.1,1896,s.3(*4*).

"JUDGMENT" defined. (*See also* FOREIGN JUDGMENT) - 53-4V.c.27,s.15. Act14,1882,s.2.

"JUDGMENT-DEBTOR" defined - - - - - Act14,1882,s.2. Ben.Act7,1880,ss.6(*a*), 8(*a*).

"JUDICIAL COMMISSIONER" defined - - - - Act11,1889,s.3(*5*). Ben.Act1,1879,s.2.

"JUDICIAL PROCEEDING" defined - - - - Act45,1860,s.193, *Explns.* Act24,1870,s.16. Act4,1871,s.8. Act8,1873,s.69. Act6,1876,s.15. Act10,1882,s.4(*d*). Act16,1882,s.29. Act2,1886,s.37. Bom.Act3,1874,s.72(*1*). Bom.Act5,1879,s.196. Bom.Act2,1890,s.53(*3*). Mad.Act1,1891,s.3(*16*). Reg.4,1872,s.31.

"JURISDICTION" defined - - - - - - Ben.Act2,1868,s.1.

"JUST CAUSE" defined - - - - - - Act10,1865,s.234,*Expln.* Act5,1881,s.50,*Expln.*

"JUSTICE" defined - - - - - - Bom.Act3,1888,s.3(*g*).

"JUSTICE OF THE PEACE" defined - - - - 33-4V.c.52,s.26.

"JUSTICES' ELECTION" defined - - - - - Bom.Act3,1888,s.3(*j*).

"JUTE" defined - - - - - - - Ben.Act1,1893,s.3(*3*).

"JUVENILE OFFENDER" defined. (*See also* YOUTHFUL OFFENDER) - - - Act6,1864,s.5,*Expln.* (ins.Act3,1895,s.6).

"KEEPER OF A LODGING-HOUSE" defined - - - Ben.Act4,1871,s.1.

"KEEPER OF A SARAI" defined - - - - - Act22,1867,s.2.

"KHOT" defined. (*See also* MANAGING KHOT) - - - Bom.Act1880,s.3(*2*).

"KHOTI-LAND" defined - - - - - - - Bom.Act1,1880,s.3(*10*).

"KHOTKI" defined - - - - - - - Bom.Act1,1880,s.3(*3*).

"KIDNAPPING FROM BRITISH INDIA" defined - - - Act45,1860,s.360.

"KIDNAPPING FROM LAWFUL GUARDIANSHIP" defined - - Act45,1860,s.361.

"KINDRED" defined. (*See also* BROTHER; CHILD; CONSANGUINITY; COUSIN; COUSIN-GERMAN; DAUGHTER; DEPENDENT (OF EMIGRANT); DESCENDANT; FATHER; FIRST COUSIN; FIRST COUSIN ONCE REMOVED; GRANDCHILDREN; HEIR; ISSUE; MINOR CHILDREN; NEPHEW; NEXT-OF-KIN; NIECE; PARENT; SECOND COUSIN; SON) - - - - - - Act10,1865,s.20.

WORDS AND PHRASES—*cont.*:

"KOHAT SALT" defined - Act12,1882,s.3(ad.Act 19,1890,s.1).

"LABEL" defined - Act4,1889,s.5(3).

"LABOUR-CONTRACT" defined - Act1,1882,s.3.

"LABOUR DISTRICT" defined - Act1,1882,s.3(am.Act7,1893,s.3(*l*)).

Ben.Act1,1889,s.2.

"LABOURER" defined - Act8,1873,s.63.

Act1,1882,s.3.

Mad.Act8,1878,s.3.

"LADEN" defined - Mad.Act1,1884,s.3(*ii*).

"LAMBARDAR" defined - Act18,1881,s.4(*l*).

"LAND" defined. (*See also* BASLI-LAND; CHAUKIDARI CHAKRAN LANDS; DHERA LAND; IMPROVED LAND; JAGIR-LAND; KHOTI-LAND; RECLAIMED LAND; SIR-LAND; STATE LAND; WASTE-LAND; UNCULTIVATED LAND; VILLAGE LAND) - 52-3V.c.53,s.3.

Act29,1839,s.1.

Act30,1839,s.1.

Act10,1876,s.3.

Act3,1878,s.3.

Act15,1879,s.2.

Act5,1882,s.4.

Act16,1882,s.2.

Act9,1883,s.3(*t*).

Act20,1883,s.3(*t*).

Act17,1885,s.3(3).

Act22,1886,s.3(3).

Act16,1887,s.4(*t*).

Act9,1889,s.4(*t*),(9)(*t*).

Act1,1894,s.3(*a*).

Ben.Act5,1867,s.1.

Ben.Act6,1873,s.3.

Ben.Act5,1876,s.6(7).

Ben.Act8,1876,s.4(*x*).

Ben.Act9,1880,s.4.

Ben.Act2,1882,s.3.

Ben.Act3,1884,s.6(5).

Ben.Act1,1887,s.2.

Ben.Act4,1887,s.2.

Bom.Act2,1863,s.16(6).

Bom.Act7,1863,s.32.

Bom.Act6,1873,s.3.

Bom.Act5,1879,s.3(*t*).

Bom.Act6,1879,s.3(6).

Bom.Act6,1886,s.2(*t*).

Bom.Act3,1888,s.3(*r*).

Bom.Act5,1888,s.2(*d*).

Mad.Act2,1886,s.3(3).

N.&O.Act5,1894,s.3(*l*).

Reg.3,1879,s.2(*t*).

Reg.3,1890,s.64(*t*).

"LAND AT THE DISPOSAL OF GOVERNMENT" defined - Act19,1881,s.3.

Mad.Act5,1882,s.2.

Reg.6,1887,s.2(8).

Reg.7,1891,s.3(8).

WORDS AND PHRASES—*cont.* :

"LAND HELD FOR SERVICE" defined — Bom.Act2,1863,s.16(*d*). Bom.Act7,1863,s.32(*d*).

"LAND NEEDED FOR A PUBLIC PURPOSE" defined — Mad.Act5,1882,s.68.

"LAND IN ITS NATURAL CONDITION" defined — Act5,1882,s.7,*Expln. I to Illn.*(e).

"LAND IRRIGATED FROM A CANAL" defined — Bom.Act7,1879,s.48.

"LAND OCCUPIED BY THE PROPRIETOR" defined — Act18,1881,s.4(5),*Expln.I.* Act9,1883,s.3(*11*),*Expln. I*(sub.Act17,1889,s.5).

"LANDHOLDER" defined. (*See also* HOLDER OF LAND; RECORDED LANDHOLDER; ZAMINDAR) — Act12,1881,s.3(*3*). Act20,1883,s.3(*3*). Act17,1885,s.3(*2*). Act9,1889,s.9,(*3*). Ben.Act6,1880,s.3. Bom.Act5,1879,s.3(*11*). Mad.Act2,1864,s.1. Mad.Act8,1865,s.1. Mad.Act5,1884,s.3(xi). Mad.Act4,1886,s.2. N.&O.Act5,1894,s.3(*2*). Reg.3,1879,s.2(*2*). Reg.1,1886,s.3(*g*). Reg.1,1888,s.3(*3*). Reg.1,1889,s.3(*2*).

"LANDLORD" defined — Act3,1878,s.3. Act9,1883,s.3(*3*). Act8,1885,s.3(*4*). Act22,1886,s.3(*11*). Act16,1887,s.4(*6*),(*7*). Act17,1887,s.3(*4*). Act9,1889,s.4(*3*). Bom.Act5,1879,s.3(*15*). Mad.Act1,1887,s.2(*2*).

"LANDOWNER" defined — Act16,1887,s.4(*9*). Act17,1887,s.3(*2*). Reg.6,1893,s.2(*4*).

"LAND-REVENUE" defined. (*See also* ARREAR OF LAND-REVENUE; ARREAR OF REVENUE GRANT OF MONEY OR LAND-REVENUE; REVENUE) — Act10,1876,s.3. Act2,1880,s.2. Act20,1883,s.3(*2*). Act16,1887,s.4(*10*). Act17,1887,s.3(*6*). Bom.Act2,1876,s.3(*2*). Reg.1,1886,s.3(*e*).

"LAND-SUIT" defined — Act18,1884,s.3(*2*)(am. Act13,1888,s.2). Reg.1,1896,s.3(*1*).

"LANDING PLACE" defined — Bom.Act7,1882,s.4.

"LATRINE" defined — Mad.Act4,1884,s.3(*xxiv*).

"LAW" defined. (*See also* COLONIAL LAW; LOCAL LAW; MATTER OF LAW; NATIVE LAW; SPECIAL LAW) — Act2,1882,s.4.

WORDS AND PHRASES—*cont.* :

"LAWFUL EXCUSE" defined - - - - - Act14,1882,s.174,*Expln.*

"LAWFUL GUARDIAN" defined - - - - - Act45,1860,s.361,*Expln.*

"LAWFUL GUARDIANSHIP" defined. *See* KIDNAPPING FROM LAWFUL GUARDIANSHIP.

"LEADING QUESTION" defined - - - - - Act1,1872,s.141.

"LEASE" defined - - - - - - - Act3,1877,s.3.
Act1,1879,s.3(*12*).
Act17,1879,s.2(5th)m.
Act6,1895,s.2).
Act4,1882,s.105.

"LEASE FROM MONTH TO MONTH" defined - - - Act4,1882,s.106.

"LEASE FROM YEAR TO YEAR" defined - - - - Act4,1882,s.106.

"LEGACY" defined. *See* DEMONSTRATIVE LEGACY; SPECIFIC LEGACY.

"LEGAL DISCHARGE" defined - - - - - Act5,1881,s.84.

"LEGAL PERSONAL REPRESENTATIVE" defined. (*See also* PERSONAL REPRESENTATIVE) 57-8V.c.60,s.742.

"LEGAL PRACTITIONER" defined. (*See also* ADVOCATE OF A HIGH COURT; BARRISTER; GOVERNMENT PLEADER; PLEADER; PUBLIC PROSECUTOR; RECOGNIZED AGENT) - Act18,1879,s.3.
Act18,1881,s.4(*2*).
Act16,1887,s.4(*16*).
Act17,1887,s.3(*13*).
Act11,1889,s.81(*2*).

"LEGAL PROCEEDING" defined - - - - - Act18,1891,s.2(*4*).

"LEGAL REMUNERATION" defined - - - - Act45,1860,s.161,*Expln.*

"LEGAL REPRESENTATIVE OF DECEASED" defined - - Act5,1881,s.4.
Act16,1882,s.366,*Expln.*

"LEGAL TENDER" defined - - - - - Act20,1882,s.16.

"LEGALLY BOUND" defined - - - - - Act45,1860,s.4.

"LEGATEE" defined - - - - - - Act1,1869,s.2.

"LEGISLATURE" defined. (*See also* LOCAL LEGISLATURE; REPRESENTATIVE LEGISLATURE) - 33 4V.c.52,s.26.
44 5 V.c.69,s.39.
47-8V.c.31,s.18.
52-3V.c.63,s.18(*7*).

"LEPER" defined. (*See also* PAUPER LEPER) - - - Ben.Act5,1895,s.2.

"LESSEE" defined - - - - - - Act4,1882,s.105.
Act11,1886,s.3(*11*).

"LESSOR" defined - - - - - - Act4,1882,s.105.

"LETTER" defined - - - - - - Act14,1866,s.8.

"LETTERS OF ADMINISTRATION" defined - - - - 55V.c.6,s.6.
Act2,1874,s.3.

"LIABILITY" defined - - - - - - Act6,1882,s.61,*Expln.1.*

"LICENSE" defined. (*See also* ACCESSORY LICENSE; REVOKED LICENSE) - - - - 44-5V.c.58,s.174(*2*).
Act11,1878,s.4.
Act5,1882,s.52.

"LICENSED" defined - - - - - - Act11,1878,s.4.

"LICENSED PLUMBER" defined - - - - - Bom.Act3,1888,s.3(*k*).

"LICENSED SURVEYOR" defined - - - - - Bom.Act3,1888,s.3(*k*).

"LICENSED VENDOR OR MANUFACTURER" defined - - Ben.Act,1878,s.4(ins.
Ben.Act1,1883s.2).

WORDS AND PHRASES—*cont.*:

"LICENSEE" defined - - - - - - Mad.Act4,1889,s.3(*m*).

"LICENSEE OF A SALT WORK" defined - - - - Bom.Act2,1890,s.3(*l*).

"LIEN" defined. *See* SELLER'S LIEN.

"LIEUTENANT-GOVERNOR" defined. (*See also* LOCAL GOVERNMENT) - - - Act1,1867,s.1.; Act3,1867,s.1.; Ben.Act5,1876,s.6(*9*).; Ben.Act7,1876,s.3(*4*).; Ben.Act8,1876,s.4(*xi*).

"LIFE" defined - - - - - - - Act45,1860,s.45.

"LIFE-BOAT SERVICE" defined - - - - - - 57-8V.c.60,s.742.

"LIFE TENURE" defined - - - - - - Ben.Reg.37,1793,s.15.

"LIFT" defined - - - - - - - Reg.8,1887,s.2(7).

"LIGHTHOUSE" defined - - - - - - 57-8V.c.60,s.742.

"LINE OF NAVIGATION" defined - - - - - Ben.Act5,1864,s.1.; Mad.Act2,1890,s.3.

"LINEAL CONSANGUINITY" defined - - - - Act10,1865,s.21.

"LIQUIDATOR" defined. *See* OFFICIAL LIQUIDATOR.

"LIQUOR" defined. (*See also* FERMENTED LIQUOR; SPIRIT; SPIRITUOUS LIQUOR; TARI) - - Bom.Act5,1878,s.3(7).; Mad.Act3,1864,s.2.; Mad.Act1,1886,s.3(*9*).

"LITERARY AND ARTISTIC WORK" defined - - - 49-50V.c.33,s.11.

"LOAN" defined - - - - - - - Act9,1872,s.241.

"LOCAL AGENT" defined - - - - - - Act1,1882,s.3.

"LOCAL AREA" defined - - - - - - Ben.Act8,1895,s.2(*d*).

"LOCAL AUTHORITY" defined - - - - - Act1,1871,s.3(ad.Act1,1891,s.2).; Act11,1879,s.3.; Act7,1880,s.54.; Act20,1883,s.54(*4*).; Act17,1884,s.138(*4*).; Act13,1885,s.3(*7*).; Act18,1885,s.16(*a*).; Act2,1886,s.3(*l*).; Act11,1886,s.3(*l*).; Act13,1889,s.6(*3*).; Act9,1890,s.135(*5*).; Act10,1897,s.3(*28*).; Ben.Act3,1883,s.2.; Bn.Act3,1885,s.5.; Ben.Act1,1895,s.4(*3*)(am.; Ben.Act1,1897,s.4).; Ben.Act9,1895,s.2(*e*).; Mad.Act1,1888,s.2.; Mad.Act1,1891,s.3(*17*).; N.&O.Act1,1887,s.2(*21*) (am.N.&O.Act1,1896,s.3).

"LOCAL BOARD" defined - - - - - - Mad.Act5,1884,s.3.

"LOCAL DIVISION" defined - - - - - Ben.Act7,1876,s.3(*5*).

WORDS AND PHRASES—*cont.*:

"LOCAL FUND" defined - - - - - - Act1,1871,s.3(ad.Act1, 1891,s.2). Mad.Act5,1884,s.3(vii).

"LOCAL GOVERNMENT" defined. (*See also* CHIEF COMMISSIONER; LIEUTENANT-GOVERNOR) - - Act10,1841,s.27(ins.Act 7,1891,s.9). Act13,1856,s.2. Act1,1859,s.118. Act3,1864,s.1. Act15,1874,s.4. Act10,1865,s.3. Act15,1865,s.2. Act11,1867,s.1. Act22,1867,s.2. Act25,1867,s.1. Act10,1897,s.3(*29*). Ben.Act7,1878,s.4. Mad.Act1,1891,s.3(*12*) amMad.Act2,1896,s.1). N.&O.Act1,1887,s.2(*22*). (am.N.&O.Act1,1896,s.3).

"LOCAL LAW" defined - - - - - - 49-50V.c.48,s.27. Act45,1860,s.42.

"LOCAL LEGISLATURE" defined (*See also* LEGISLATURE) - 55-6V.c.14,s.6.

"LODGER" defined - - - - - - Ben.Act4,1871,s.1. N.&O.Act1,1892,s.2(*4*).

"LODGING-HOUSE" defined - - - - - Ben.Act4,1871,s.1. N.&O.Act1,1892,s.2(*3*).

"LONG VOYAGE" defined - - - - - Act10,1887,s.5(*3*).

"LOSING WRONGFULLY" defined - - - - - Act45,1860,s.23.

"LOW-WATER MARK" defined - - - - - Act15,1879,s.2. Ben.Act4,1887,s.2. Bom.Act6,1886,s.2(*3*). Bom.Act5,1888,s.2(*c*).

"LUNATIC" defined. (*See also* CRIMINAL LUNATIC; PERSON OF UNSOUND MIND) - - - Act34,1858,s.32. Act35,1858,s.23. Act36,1858,s.18. Act27,1866,s.2.

"LOWER BURMA" defined - - - - - Act20,1886,s.2(*1*)(*b*). Act11,1889,s.3(*1*).

"LOWER PASSENGER DECK" defined - - - - 57-8V.c.60,s.268(*6*).

"LURKING HOUSE-TRESPASS" defined - - - - Act45,1860,s.443.

"LURKING HOUSE-TRESPASS BY NIGHT" defined - - - Act45,1860,s.444.

"LYMPH" defined. *See* ANIMAL-LYMPH.

"MADRAS" defined. *See* CITY OF MADRAS; PRESIDENCY OF FORT ST. GEORGE; PRESIDENCY OF MADRAS; PRESIDENCY-TOWN; TOWN OF MADRAS.

"MADRAS Act" defined - - - - - - Act10,1897,s.3(*30*).

WORDS AND PHRASES—*cont.* :

"MAGISTRATE" defined. (*See also* HONORARY MAGISTRATE)

44-5V.c.69,s.39.
Act30,1852,s.12.
Act13,1856,s.2.
Act20,1856,s.61.
Act5,1857,s.27.
Act11,1857,s.11.
Act25,1857,s.11.
Act36,1858,s.18.
Act24,1859,s.1.
Act5,1861,s.1.
Act16,1861,s.21.
Act1,1867,s.1.
Act25,1867,s.1.
Act20,1869,s.4(am.
Act10,1896,s.2(*1*).
Act1,1872,s.26,*Expln.*
(ad.Act3,1891,s.3).
Act9,1874,s.3.
Act19,1876,s.2.
Act1,1878,s.3.
Act19,1881,s.3.
Act1,1878,s.3.
Act21,1883,s.6(*4*).
Act2,1886,s.3(*6*).
Act10,1887,s.5(*7*).
Act10,1889,s.3(*7*).
Act14,1895,s.5(*5*).
Act12,1896,s.3(*d*).
Act10,1897,s.3(*31*).
Ben.Act2,1864,s.2.
Ben.Act7,1864,s.3.
Ben.Act4,1866,s.3.
Ben.Act3,1867,s.1.
Ben.Act5,1867,s.1.
Ben.Act4,1871,s.1.
Ben.Act9,1871,s.1.
Ben.Act5,1876,s.6(*11*).
Ben.Act3,1884,s.6(*8*).
Ben.Act1,1893,s.3(*4*).
Bom.Act8,1866,s.2.
Bom.Act5,1878,s.3(*5*).
Bom.Act3,1886,s.3(*13*).
Mad.Act3,1864,s.2.
Mad.Act2,1866,s.2.
Mad.Act7,1871,s.1.
Mad.Act3,1879,s.3.
Mad.Act1,1880,s.1.
Mad.Act5,1882,s.2.
Mad.Act1,1884,s.3(*m*).
Mad.Act4,1884,s.3(*xvi*).
Mad.Act2,1888,s.2.

WORDS AND PHRASES—*cont.* :

"MAGISTRATE" defined—*cont.* - - - - - Mad.Act4,1889,s.3(*n*). Mad.Act1,1891,s.3(*18*). N.&O.Act1,1887,s.2(*23*). N.&O.Act1,1892,s.2(*5*). Reg.6,1887,s.2(*9*). Reg.5,1890,s.2(*10*). Reg.7,1891,s.3(*9*). Reg.1,1894,s.10(*f*).

"MAGISTRATE OF THE DISTRICT" defined. (*See also* DISTRICT MAGISTRATE) - Act5,1861,s.1. Act3,1864,s.1. Act22,1867,s.2. Act10,1882,s.3. Ben.Act6,1870,s.1. Ben.Act5,1876,s.6(*10*). Ben.Act3,1884,s.6(*7*). Ben.Act3,1885,s.5. Act10,1882,s.*10*

"MAGISTRATE OF A DIVISION OF A DISTRICT" defined - - Act10,1882,s.10.

"MAGISTRATE OF POLICE" defined. (*See also* POLICE MAGISTRATE) - - - Act10,1882,s.3. Mad.Act1,1867,s.2(*1*).

"MAHAL" defined - - - - - - Act19,1873,s.3(*1*)(am. Act8,1879,s.2). Act12,1881,s.3. Act18,1881,s.4(*7*). Bom.Act5,1879,s.1.

"MAILS" defined - - - - - - Act14,1866,s.2.

"MAIL BAG" defined - - - - - - 54-5V.c.31,s.9.

"MAJHAHAS" defined - - - - - - Ben.Act2,1869,s.1.

"MAJOR UNION" defined - - - - - Mad.Act5,1884,s.3(iv).

"MAJORITY" defined. *See* MINOR; MINORITY.

"MAKING A FALSE DOCUMENT" defined - - - Act45,1860,s.464.

"MALE MEMBER OF FAMILY" defined - - - - Act14,1882,s.78,*Expln.*

"MALGUZAR" defined - - - - - - Act18,1881,s.4(*9*). Reg.2,1877,s.2(*d*).

"MALIK-MAKBUZA" defined - - - - - Act18,1881,s.4(*10*)(am. Act16,1889,s.9). Act9,1883,s.51(*2*)(am. Act17,1889,s.12).

"MAMLATDAR" defined - - - - - - Bom.Act3,1876,s.3(*1*) (am.Act16,1895).

"MAN" defined - - - - - - - Act45,1860,s.10.

"MANAGER" defined - - - - - - Ben.Act7,1876,s.3(*6*).

"MANAGING KHOT" defined - - - - - Bom.Act1,1880,s.26.

"MANNER PRESCRIBED" defined - - - - - Act7,1880,s.4.

"MANUFACTURE" defined - - - - - Act4,1881,s.4(*2*). Act5,1888,s.4(*6*). Ben.Act7,1864,s.3. Bom.Act5,1878,s.3(*11*).

WORDS AND PHRASES—*cont.*:

"MANUFACTURE" defined—*cont.* - - - - Bom.Act2,1890,s.3(*g*). Mad.Act1,1886,s.3(*18*). Mad.Act4,1889,s.3(*f*).

"MANUFACTURE OF SALT" defined - - - - Act12,1882,s.3. Reg.3,1889,s.33(*1*).

"MAP" defined. *See* ORDNANCE MAP.

"MARINE COURT" defined. *See* INDIAN MARINE COURT.

"MARKET" defined. (*See also* BAZAR; MUNICIPAL MARKET; PRIVATE MARKET; PUBLIC MARKET) - Ben.Act2,1888,s.3. Mad.Act1,1884,s.3(*ff*). Mad.Act4,1884,s.3(*xxv*).

"MARRIAGE" defined - - - - - - Act15,1865,s.2. Mad.Act4,1896,s.2.

"MARRIAGE WITH ANOTHER WOMAN" defined. (*See also* BIGAMY WITH ADULTERY) Act4,1869,s.3.

"MASTER" defined - - - - - - 33-4V.c.90,s.30. 48-9V.c.49,s.12. 54-5V.c.31,s.9. 57-8V.c.60,s.742. Act19,1850,s.25. Act1,1859,s.118. Act1,1867,s.1. Act9,1874,s.3. Act8,1878,s.3(*h*). Act9,1879,s.3. Act15,1879,s.2. Act7,1880,s.2. Act1,1882,s.3. Act5,1883,s.3. Act21,1883,s.6(*g*). Act4,1884,s.4(*5*). Act6,1884,s.5(*6*). Act7,1884,s.3(*3*). Act10,1889,s.3(*4*). Act2,1896,s.3(*8*). Act10,1897,s.3(*32*). Ben.Act3,1867,s.1. Ben.Act4,1887,s.2. Bom.Act6,1879,s.3(*4*). Bom.Act6,1886,s.2(*5*). Bom.Act5,1888,s.2(*e*). Mad.Act2,1886,s.3(*6*). Reg.3,1876,s.3.

"MATA" defined - - - - - - - - Bom.Act6,1887,s.2(*2*).

"MATADAR" defined. (*See also* REPRESENTATIVE MATADAR) - Bom.Act6,1887,s.2(*4*).

"MATADAR FAMILY" defined - - - - - Bom.Act6,1887,s.2(*1*).

"MATERIAL PROPOSITIONS" defined - - - - Act14,1882,s.146.

"MATTER OF LAW" defined - - - - - Act10,1882,s.418,*Expln.*

"MATURITY" defined - - - - - - Act26,1881,s.22.

"MAUND" defined - - - - - - Act9,1890,s.3(*17*). Ben.Act7,1864,s.3 Bom.Act2,1890,s.3(*n*) Mad.Act4,1889,s.3(*i*)

WORDS AND PHRASES—*cont.*:

"MAUZA" defined - - - - - - Ben.Act5,1875,s.2. Ben.Act7,1876,s.3(*7*).

"MAY PRESUME" defined - - - - - Act1,1872,s.4.

"MEDICAL CORPORATION" defined - - - - 49-50V.c.48,s.27.

"MEDICAL DIPLOMA" defined - - - - - 49-50V.c.48,s.27.

"MEDICAL PRACTITIONER" defined. (*See also* REGISTERED MEDICAL PRACTITIONER) - Ben.Act5,1880,s.2. Bom.Act1,1877,s.2(*4*). Bom.Act4,1879,s.2(*4*). Bom.Act1,1892,s.4(*d*).

"MEDICAL SUBORDINATE" defined - - - - - Act5,1869,Pt.I,cl.(*e*)(*6*) (ins.Act12,1894,s.4). Act9,1894,s.3(*8*).

"MEETING" defined. *See* GENERAL MEETING; SPECIAL MEETING.

"MEMBER" defined - - - - - - Act21,1860,s.15. Act6,1882,s.45.

"MEMBER OF A MATADAR FAMILY" defined - - - Bom.Act6,1887,s.2(*3*).

"MEMBER OF AN UNLAWFUL ASSEMBLY" defined - - Act45,1860,s.142.

"MEMORANDUM OF APPEAL" defined - - - - Reg.1,1877,s.17.

"MESNE PROFITS" defined - - - - - Act14,1882,s.211,*Expln.*

"MESSAGE" defined - - - - - - Act13,1885,s.3(*3*).

"MHOWRA FLOWER" defined - - - - - Bom.Act5,1878,s.3(*13*) (ad.Bom.Act3,1892,s.1A).

"MILITARY COURT" defined. *See* COURT-MARTIAL.

"MILITARY CUSTODY" defined - - - - - Act5,1896,Pt.I,cl.(*e*)(*18*) (ins.Act12,1804,s.4).

"MILITARY DECORATION" defined - - - - 44-5V.c.58,s.190(*18*).

"MILITARY FORCES" defined. *See* HER MAJESTY'S MILITARY FORCES.

"MILITARY POLICE-OFFICER" defined - - - - Act15,1887,s.3(*1*). Act5,1892,s.2(*1*). Reg.2,1888,s.2(*1*). Reg.4,1890,s.3(*1*).

"MILITARY REWARD" defined - - - - - 44-5V.c.58,s.190(*19*). Act5,1869,Pt.I,cl.(*e*)(*12*) (ins.Act12,1894,s.4).

"MILITARY SERVICE" defined - - - - - 33-4V.c.90,s.30.

"MILITARY STORES" defined - - - - - Act11,1878,s.4.

"MILL" defined - - - - - - - Act2,1896,s.3(*6*).

"MILL-GEARING" defined - - - - - Act15,1881,s.2.

"*MINOR*" defined. (*See also* GOVERNMENT WARD) - - Act10,1865,s.3. Act1,1869,s.2. Act15,1872,s.3. Act5,1873,s.3. Act19,1873,s.3(*12*). Act3,1877,s.3. Act5,1881,s.3. Act8,1890,s.4(*1*). Ben.Act4,1870,s.1. Ben.Act9,1879,s.3.

WORDS AND PHRASES—*cont.*:

"MINOR CHILDREN" defined - - - - - Act4,1869,s.3(*5*).

"MINOR UNION" defined - - - - - Mad.Act5,1884,s.3(iv).

"MINORITY" defined - - - - - - Act10,1865,s.3. Act1,1869,s.2. Act9,1875,s.3. Act5,1881,s.3(amAct8, 1890,s.52).

"MINT" defined - - - - - - - Act23,1870,s.3.

"MINT-RULES" defined - - - - - - Act23,1870,s.3.

"MISAPPROPRIATION OF PROPERTY" defined - - - Act45,1860,s.403,*Expln.1.*

"MISCHIEF" defined - - - - - - Act45,1860,s.425.

"MISREPRESENTATION" defined - - - - - Act9,1872,s.18.

"MISTAKE AS TO MATTER OF FACT" defined - - - Act9,1872,s.20.

"MODEL" defined - - - - - - 52-3V.c.52,s.8. Act15,1889,s.2(*4*).

"MONEY" defined. (*See also* COIN; GRANT OF MONEY OR LAND-REVENUE; MORTGAGE-MONEY; TRUST-MONEY) - - - Act17,1879,s.2(*4*)(am.Act 6,1895,s.2).

"MONTH" defined - - - - - - 52-3V.c.63,s.3. Act13,1856,s.2. Act24,1859,s.1. Act45,1860,s.49. Act5,1861,s.1. Act10,1865,s.3. Act21,1866,s.3. Act10,1897,s.3(*33*). Ben.Act2,1866,s.51. Ben.Act4,1866,s.3. Ben.Act5,1867,s.1. Bom.Act3,1886,s.3(*4*). Mad.Act1,1884,s.3(*d*)(*2*) (am.Mad.Act7,1884,s.2). Mad.Act1,1891,s.3(*38*). N.&O.Act1,1887,s.2(*24*). Reg.3,1876,s.3. Reg.8,1874,s.1.

"MORTGAGE" defined. (*See also* ENGLISH MORTGAGE; SIMPLE MORTGAGE; USUFRUCTUARY MORTGAGE) Act27,1866,s.2. Act28,1866,s.1. Act4,1882,s.58(*a*).

"MORTGAGE BY CONDITIONAL SALE" defined - - - Act4,1882,s.58(*c*).

"MORTGAGE-DEED" defined - - - - - Act1,1879,s.3(*13*). Act4,1882,s.58(*a*).

"MORTGAGE MONEY" defined - - - - - Act4,1882,s.58(*a*).

"MORTGAGEE" defined. (*See also* SIMPLE MORTGAGEE; USUFRUCTUARY MORTGAGEE) - - Act28,1866,s.1. Act4,1882,s.58.

"MORTGAGEE BY CONDITIONAL SALE" defined - - - Act4,1882,s.58(*c*).

"MORTGAGOR" defined - - - - - - Act28,1866,s.1. Act4,1882,s.58(*a*).

"MOTHER" defined. *See* PARENT.

WORDS AND PHRASES (*cont.*):
"MOTIVE OR REWARD FOR DOING" defined - - - Act45,1860,s.161,*Expln.*
"MOVEABLE PROPERTY" defined. (*See* also PERSONAL ESTATE) - Act45,1860,s.22. Act10,1865,s.3. Act3,1877,s.3. Act6,1882,s.44. Act15,1882,s.28. Act10,1897,s.3(*34*). Ben.Act5,1876,s.6(*8*). Ben.Act3,1884,s.6(*6*). Bom.Act3,1886,s.3(*17*). Mad.Act1,1891,s.3(*19*). N.&O.Act1,1887,s.2(*19*). N.&O.Act3,1892,s.2(*7*). Reg.1,1889,s.3(*4*). Reg.3,1889,s.37(*2*).
"MOVER" defined. *See* PRIME-MOVER.
"MUHAMMADAN REGISTRAR" defined - - - - Ben.Act1,1876,s.2.
"MUHAMMADAN BURIAL GROUND" defined. *See* PUBLIC MUHAMMADAN BURIAL GROUND.
"MUKADDAM" defined - - - - - - Act18,1881,s.4(*13*). Act1,1883,s.2.
"MUNICIPAL AUTHORITY" defined - - - - Act3,1885,s.5. Act20,1887,s.2(*1*). N.&O.Act1,1892,s.2(*2*). N.&O.Act3,1894,s.3(*1*).
"MUNICIPAL BOARD" defined - - - - - N.&O.Act1,1891,s.2(*9*). (ad.N.&O.Act2,1895,s.1).
"MUNICIPAL COMMISSIONER" defined - - - - Act13,1880,s.2(*1*). Act15,1883,s.77. Act17,1884,s.15. Act20,1891,s.14. Bom.Act1,1874,s.2. Mad.Act1,1884,s.6(am. Mad.Act2,1892,s.6). Reg.5,1886,s.160.
"MUNICIPAL COMMITTEE" defined. (*See also* COMMITTEE) - Act11,1881,s.2. Act20,1891,s.212.
"MUNICIPAL COUNCIL" defined - - - - - Mad.Act4,1884,s.3(*ii*).
"MUNICIPAL DISTRICT" defined - - - - - Bom.Act2,1884,s.4(*2*).
"MUNICIPAL DRAIN" defined - - - - - N.&O.Act3,1894,s.3(*8*).
"MUNICIPAL DUTY" defined - - - - - Act4,1857,s.2.
"MUNICIPAL ELECTION ROLL" defined - - - - Bom.Act3,1888,s.21(*2*).
"MUNICIPAL FERRY" defined - - - - - Ben.Act3,1884,s.148.
"MUNICIPAL FUND" defined - - - - - Mad.Act1,1884,s.3(*x*).
"MUNICIPAL MARKET" defined - - - - - Ben.Act3,1884,s.336. Bom.Act3,1888,s.398.
"MUNICIPAL OFFICE" defined - - - - - Mad.Act1,1884,s.3(*y*).
"MUNICIPAL SLAUGHTER-HOUSE" defined - - - Bom.Act3,1888,s.398.
"MUNICIPAL TOWN" defined - - - - - Ben.Act3,1867,s.1.

WORDS AND PHRASES—*cont.*:

"MUNICIPALITY" defined - - - - - Act15,1873,s.3. Act15,1883,s.2(*a*). Act17,1884,s.2. Act18,1889,s.3(*1*). Act20,1891,ss.3(*1*),212. Ben.Act5,1876,s.6(*12*). Ben.Act3,1883,s.2. Ben.Act3,1884,s.6(*9*). Mad.Act4,1884,s.3(*i*). N.&O.Act1,1891,s.2(*a*). N.&O.Act1,1892,s.2(*1*). N.&O.Act3,1894,s.3(*2*). Reg.5,1886,s.2(*2*).

"MUNSIFF" defined. (*See also* DISTRICT MUNSIF; HONORARY MUNSIF; VILLAGE MUNSIF) - - N.&O.Act3,1892,s.2(*4*). N.&O.Act2,1895,s.3(*3*).

"MURDER" defined. (*See also* CULPABLE HOMICIDE; CULPABLE HOMICIDE NOT AMOUNTING TO MURDER) - - - - Act45,1860,s.300.

"MYOTHUGYI" defined - - - - - - Reg.14,1887,s.19.

"NAME" defined - - - - - - 57-58V.c.60,s.742. Act13,1889,s.2(5).

"NATIVE" defined - - - - - - Reg.1,1887,s.2(3).

"NATIVE OF INDIA" defined - - - - - 33-34V.c.3,s.6. 44-45V.c.58,s.190(*22*).

"NATIVE CHRISTIAN" defined - - - - - Act25,1872,s.3. Act7,1892,s.2.

"NATIVE HUSBAND" defined - - - - - Act21,1866,s.3.

"NATIVE LAW" defined - - - - - - Act21,1866,s.3.

"NATIVE OFFICER" defined - - - - - Act5,1869,Pt.I,cl.(*e*)(*4*) (ins.Act12,1894,s.4).

"NATIVE STATE" defined - - - - - Act14,1872,s.3. Act3,1876,s.2.

"NATIVE WIFE" defined - - - - - - Act21,1866,s.3.

"NATURAL SALT" defined - - - - - Bom.Act2,1890,s.3(*d*).

"NATURAL STREAM" defined - - - - - Act5,1882,s.1,*Expln.* *to Illn.*

"NAVAL FORCES" defined. *See* HER MAJESTY'S NAVAL FORCES.

"NAVAL SERVICE" defined - - - - - 33-4V.c.90,s.30.

"NAZIR" defined - - - - - - Act10,1859,s.168. Ben.Act1,1879,s.2.

"NEGOTIABLE INSTRUMENT" defined - - - - Act26,1881,s.13.

"NEGOTIATION" defined - - - - - - Act26,1881,s.14.

"NEPHEW" defined - - - - - - - Act10,1865,s.86.

"NET ANNUAL PROFITS" defined - - - - - Act16,1882,s.18,*Expln.*

"NEW BUILDING" defined - - - - - Bom.Act3,1888,s.337(2).

"NEW INVENTION" defined - - - - - Act5,1888,ss.21, 24.

"NEW AND ORIGINAL DESIGN" defined - - - - Act5,1888,s.55.

"NEWSPAPER" defined - - - - - - Act14,1866,s.2.

"NEXT-OF-KIN" defined. (*See also* KINDRED) - - - Act2,1874,s.3.

"NIECE" defined - - - - - - - Act10,1865,s.86.

WORDS AND PHRASES—*cont.*:

"NON-APPARENT EASEMENT" defined - - - - Act5,1882,s.5.

"NON-BAILABLE OFFENCE" defined - - - - Act10,1882,s.4.

"NON-COGNIZABLE CASE" defined - - - - Act10,1882,s.4. Reg.2,1883,s.2.

"NON-COGNIZABLE OFFENCE" defined - - - - Act10,1882,s.4.

"NON-COMMISSIONED OFFICER" defined - - - - 44-5V.c.58,s.190(5).

"NON-OCCUPANCY-RAIYAT" defined - - - - Act8,1885,s.4(*c*).

"NON-OFFICIAL COMMISSIONERS" defined - - - Mad.Act1,1884,s.3(*l*)(am. Mad.Act2,1892,s.3).

"NORTH-WESTERN PROVINCES AND OUDH ACT" defined - Act10,1897,s.3(*35*).

"NOT PROVED" defined - - - - - - Act1,1872,s.3.

"NOTARY PUBLIC" defined - - - - - Act26,1881,s.3.

"NOTE" defined. *See* CURRENCY NOTE; PROMISSORY NOTE.

"NOTICE" defined - - - - - - Act2,1882,s.3. Act4,1882,s.3. Mad.Act1,1884,s.3(*w*). Mad.Act4,1884,s.3(*v*).

"NOTIFICATION" defined - - - - - Act5,1869,Pt.I,cl.(*e*)(*1*) (ins.Act12,1894,s.4). Act2,1876,s.3(*c*). Act20,1883,s.3(*7*). Act16,1887,s.4(*18*). Act17,1887,s.3(*15*). Act20,1891,s.3(*7*). Ben.Act3,1884,s.2(ins. Act4,1894,s.2(*1*). Ben.Act1,1885,s.5. Ben.Act3,1885,s.5. Ben.Act4,1887,s.2. Reg.1,1886,s.3(*k*). Reg.5,1886,s.2(*7*). Reg.1,1896,s.3(*3*).

"NOTIFIED" defined. (*See also* REGISTERED AND NOTIFIED INCUMBRANCE) - - - Act20,1883,s.3(*8*). Act20,1891,s.3(*8*). Reg.5,1886,s.2(*6*).

"NOTIFIED AREA" defined - - - - - Act20,1891,s.210(*2*).

"NUISANCE" defined. (*See also* PUBLIC NUISANCE) - - Bom.Act3,1888,s.3(*z*). Mad.Act1,1884,s.3(*r*). Mad.Act4,1884,s.3(xxii). N.&O.Act3,1894,s.3(*7*).

"OATH" defined. (*See also* AFFIDAVIT; SWEAR) - - 44-5V.c.58,s.190(*28*). 44-5V.c.69,s.39. 52V.c.10,s.11. 52-3V.c 63,s.3. Act30,1852,s.13. Act3,1856,s.2. Act45,1860,s.51. Act10,1897,s.3(*36*). Ben.Act2,1866,s.51. Ben.Act4,1866,s.3. Ben.Act5,1867,s.1.

WORDS AND PHRASES—*cont.*:

"OATH" defined—*cont.* - - - - - - Bom.Act3,1886,s.3(*19*). Mad.Act1,1891,s.3(*20*). N.&O.Act1,1887,s.2(*25*).

"OBLIGATION" defined - - - - - - Act1,1877,s.3.

"OCCUPANCY" defined - - - - - - Bom.Act5,1879,s.3(*18*).

"OCCUPANCY-RAIYAT" defined - - - - - Act8,1885,s.4(*b*).

"OCCUPANCY-TENANT" defined - - - - - Act12,1881,s.8. Act9,1883,ss.41,62(*4*). Bom.Act1,1880,s.3(*8*).

"OCCUPANCY-TENANT OF SIR-LAND" defined - - - Act9,1883,s.42.

"OCCUPANT" defined. (*See also* PRIVILEGED OCCUPANT; REGISTERED OCCUPANT) - - Ben.Act5,1875,s.2. Bom.Act5,1879,s.3(*16*).

"OCCUPATION" defined. *See* ADMITTED TO OCCUPATION.

"OCCUPATION OF HOUSE" defined - - - - Act20,1891,s.62(*4*).

"OCCUPATION OF TENANT" defined - - - - Act9,1883,s.41,*Expln.*

"OCCUPIER" defined. *See* RATEABLE OWNER OR OCCUPIER.

"OCCUPIER'S RATE" defined - - - - - Act8,1873,s.36.

"OFFENCE" defined. (*See also* BAILABLE OFFENCE; CIVIL OFFENCE; COGNIZABLE OFFENCE; FOREST OFFENCE; NON-BAILABLE OFFENCE; NON-COGNIZABLE OFFENCE; SEPARATE OFFENCE) - - - - 41-2V.c.73,s.7. Act45,1860,s.40(am.Act 27,1870,s.2,ss.177, 203,212(am.Ac 3, 1894,ss.5to7),s.216 (am.Act10,1886,s.23). Act5,1869,Pt.I,cl.(*e*)(2) (am.Act12,1894,s.). Act1,1872,s.30,*Expln.* (am.Act3,1891,s.). Act10,1882,s.4(*p*). Act10,1897,s.3(*37*). Ben.Act2,1867,s.15. Mad.Act1,1891,s.3(*21*). N&O Act1,1887,s.2(*26*).

"OFFENDER" defined. (*See also* JUVENILE OFFENDER; PROCLAIMED OFFENDER; YOUTHFUL OFFENDER) - - - - Bom.Act8,1869,s.2. Ben.Act5,1876,s.6(*13*).

"OFFENSIVE MATTER" defined - - - - - Ben.Act3,1884,s.6(*10*). Ben.Act2,1888,s.3.

"OFFICE" defined. (*See also* MUNICIPAL OFFICE; PUBLIC OFFICE; REGISTERED OFFICE OF COMPANY; REVENUE-OFFICE) - - Act11,1876,s.3.

"OFFICE UNDER HER MAJESTY" defined - - - 52-3V.c.52,s.8. Act15,1889,s.2(*6*). 44-5V.c.58,s.190(*4*).

"OFFICER" (Military) defined. (*See also* BRITISH OFFICER; COMMANDER-IN-CHIEF; COMMANDING OFFICER; GENERAL OFFICER OF THE COMMAND; NON-COMMISSIONED OFFICER; SUPERIOR OFFICER) - 56V.c.5,s.29. Act45,1860,s.131,*Expln.* (ad.Act27,1870,s.6). Act5,1869,Pt.I,cl.(*e*)(*5*). (am.Act12,1894,s.4). Act14,1873,s.2. Act2,1874,s.3. Act13,1889,s.3(*5*)(*a*).

WORDS AND PHRASES—*cont.*:

"OFFICER EXERCISING (OR HAVING) THE POWERS (OR THE FULL POWERS) OF A MAGISTRATE"; construction of references to — Act10,1882,s.3.

"OFFICER IN CHARGE OF A POLICE-STATION" defined — Act10,1882,s.4(*o*). Reg.7,1886,s.IIofSch.

"OFFICER IN THE CONSULAR SERVICE OF HER MAJESTY" defined — 33V.c.14,s.17.

"OFFICER IN THE DIPLOMATIC SERVICE OF HER MAJESTY" defined — 33V.c.14,s.17.

"OFFICER OF COMPANY" defined — Act6,1882,s.214,*Expln.I.*

"OFFICER OF POLICE" defined — Act1,1871,s.3. Act17,1879,s.38(ad.Act 23,1881,s.7).

"OFFICIAL ADMINISTRATOR" defined — 56V.c.5,s.29.

"OFFICIAL COMMISSIONER" defined — Mad.Act1,1884,s.3(*l*) (am.Mad.Act2,1892,s.3).

"OFFICIAL GAZETTE" defined. (*See also* BRITISH BURMA GAZETTE; GAZETTE) — Bom.Act1,1884,s.3(*l*).

"OFFICIAL LIQUIDATOR" defined — Act6,1882,s.195.

"OFFICIAL SECRET" defined — Act2,1896,s.17(*1*).

"OFFICIAL YEAR" defined — Bom.Act3,1888,s.3(*bb*). Mad.Act4,1884,s.3(xi). Mad.Act5,1884,s.3(xix).

"OFFICIATOR" defined — Bom.Act3,1874,s.4(am. Act16,1895).

"OMISSION" defined. (*See also* ILLEGAL OMISSION) — Act45,1860,s.33.

"ON PRESENTMENT" defined — Act26,1881,s.21.

"OPEN COURT" defined — Act10,1882,s.352.

"OPIUM" defined — Act1,1878,s.3.

"ORAL EVIDENCE" defined — Act1,1872,s.119.

"ORDER" defined — 7-8V.c.12,s.20. Act14,1882,s.2. Act11,1886,s.3(*6*). Act3,1889,s.20(*4*). Reg.14,1887,s.16(*4*)(ad. Reg.1,1891,s.12).

"ORDER IN COUNCIL" defined — 7-8V.c.12,s.20.

"ORDINARY POWERS" (of Magistrates) defined — Act10,1882,s.36.

"ORDINARY TENANT" defined — Act9,1883,s.53(am.Act 17,1889,s.13).

"ORDNANCE MAP" defined — 52-3V.c.66,s.65.

"ORISSA" defined. *See* PROVINCE OF ORISSA.

"OWNER" defined. (*See also* DOMINANT OWNER; LAND OWNER, PROPRIETOR; RATEABLE OWNER; SERVIENT OWNER) — Act19,1850,s.25. Act19,1873,s.141,*Expln.* (ad.Act8,1879,s.11). Act6,1878,s.3. Act8,1878,s.4.

WORDS AND PHRASES—*cont.*

"OWNER" defined—*cont.* - - - - - - Act15,1879,s.2.
Act18,1882,s.2.
Act17,1884,s.2(am.Act 19,1888,s.1).
Act19,1884,s.2(3).
Act2,1886,s.24(2).
Act13,1889,s.3(*l*)(*s*).
Act18,1889,s.3(*4*).
Act20,1891,s.3(*5*).
Ben.Act6,1866,s.10.
Ben.Act3,1867,s.1.
Ben.Act4,1871,s.1.
Ben.Act3,1876,s.3(*9*).
Ben.Act5,1876,s.6(*14*).
Ben.Act3,1879,s.3.
Ben.Act3,1884,s.6(*11*).
Ben.Act1,1887,s.2.
Ben.Act4,1887,s.2.
Ben.Act2,1888,s.3.
Ben.Act5,1888,s.2(*g*).
Bom.Act6,1873,s.3.
Bom.Act6,1879,s.3(*5*).
Bom.Act7,1879,s.3(*7*).
Bom.Act6,1886,s.2(*7*).
Bom.Act3,1888,s.3(*m*).
Bom.Act2,1891,s.3(*e*).
Mad.Act7,1871,s.1.
Mad.Act3,1883,s.2(iii).
Mad.Act1,1884,s.3(*t*).
Mad.Act4,1884,s.3(xiii).
Mad.Act3,1885,s.3(*3*).
Mad.Act2,1886,s.3(*7*).
Mad.Act3,1893,s.2.
N.&O.Act1,1891,s.2(*c*).
N.&O.Act3,1894,s.2(*4*).
Reg.5,1886,s.2(*6*).

"OWNER OF PALANQUIN" defined - - - - Ben.Act2,1891,s.48(*3*).

"OWNER OF VILLAGE-CHANNEL" defined - - - - Ben.Act3,1876,s.58.

"OWNER'S RATE" defined - - - - - - Act8,1873,s.37.

"PACKET" defined. *See* CLUBBED PACKET.

"PANCHAYET" defined - - - - - - Mad.Act5,1884,s.3(vi).

"PAPER" defined - - - - - - - Act1,1879,s.3(*14*).

"PAPER CURRENCY DEPARTMENT" defined. *See* DEPARTMENT OF PAPER CURRENCY.

"PAR VALUE" defined. *See* ESTABLISHED PAR VALUE.

"PARDA-NISHIN" defined - - - - - - Ben.Act1,1876,s.2.

"PARENT" defined. (*See also* FATHER) - - - - Act13,1855,s.4.
Act13,1880,s.2(*2*).
Ben.Act5,1880,s.2.
Bom.Act1,1872,s.6.
Bom.Act1,1877,s.2(*1*).

WORDS AND PHRASES—*cont.* :

"PARENT" defined—*cont.* - - - - - Bom.Act4,1879,s.2(*1*). Bom.Act1,1892,s.4(*a*). Mad.Act4,1884,s.3(xvii). Mad.Act5,1884,s.3(xiv).

"PARENT ESTATE" defined - - - - - Ben.Act8,1876,s.4(xii).

"PARLIAMENT" defined - - - - - - Act1,1872,s.57(*4*),*Expln.*

"PART" defined - - - - - - - Act10,1897,s.3(*38*). Bom.Act3,1886,s.3(*21*). Mad.Act1,1891,s.3(*4*). N.&O.Act1,1887,s.2(*4*).

"PARTITION" defined. *See* IMPERFECT PARTITION; INSTRUMENT OF PARTITION; PERFECT PARTITION.

"PARTNERSHIP" defined - - - - - - Act9,1872,s.239.

"PASS" defined - - - - - - - Act9,1890,s.3(*15*).

"PASSENGER" defined. (*See also* STEERAGE PASSENGER) - 57-8 V.c.60,s.267. Act6,1884,s.5(*7*). Act7,1884,s.3(*4*). Act10,1887,s.5(*2*).

"PASSENGER STEAMER" defined - - - - - 57-8 V.c.60,s.267.

"PATEL" defined - - - - - - Act18,1881,s.4(*13a*)(am. Act16,1889,s.10).

"PATNI" defined - - - - - - Act15,1877,Sch.2,no.12, *Expln.*

"PATROL" defined. *See* ROAD PATROL.

"PATTI" defined - - - - - - Act18,1881,s.4(*13b*)(ins. Act16,1889,s.10).

"PAUPER" defined - - - - - - Act14,1882,s.401,*Expln.*

"PAUPER LEPER" defined. (*See also* LEPER) - - - Ben.Act5,1895,s.2.

"PAWNEE" defined - - - - - - Act9,1872,s.172.

"PAWNOR" defined - - - - - - Act9,1872,s.172.

"PAY" defined - - - - - - - Act9,1883,s.3(*5*). Act8,1858,s.3(*6*). Act16,1887,s.4(*2*). Act17,1887,s.3(*5*).

"PAY AND ALLOWANCES" defined - - - - Act5,1869,Art.139.

"PAYABLE" defined - - - - - - Act9,1883,s.3(*5*). Act8,1885,s.3(*6*).

"PAYEE" defined - - - - - - Act26,1881,s.7.

"PAYMENT" defined - - - - - - Act15,1887,s.20. Act9,1883,s.3(*5*). Act8,1885,s.3(*6*).

"PAYMENT IN DUE COURSE" defined - - - - Act26,1881,s.10.

"PENAL DIET" defined - - - - - - Act9,1894,s.46(*9*).

"PENSION" defined - - - - - - Act21,1886,s.2.

"PERFECT PARTITION" defined - - - - - Act19,1873,s.107. Act17,1876,s.68. Act18,1881,s.136(*2*)(ins. Act16,1889,s.26). Reg.1,1886,s.96.

WORDS AND PHRASES—*cont.* :

"PERFORMED" and "PERFORMANCE" defined — 49-50V.c.33,s.11.
"PERMANENT" defined — Ben.Act6,1880,s.3,*Expln.*
"PERMANENT SETTLEMENT" defined — Act8,1885,s.3(*12*).
"PERMANENT TENURE" defined — Act8,1858,s.3(*8*).
"PERMANENTLY-SETTLED ESTATE" defined — Reg.1,1886,s.3(*c*).
"PERMANENTLY-SETTLED PORTION OF GOALPARA" defined — Reg.3,1879,s.2(*4*).
"PERMANENTLY-SETTLED PORTION OF SYLHET" defined — Reg.3,1879,s.2(*4*).
"PERMISSION" defined — 37-8V.c.77,s.14.
"PERSON" defined — 48-9V.c.25,s.2. 48-9V.c.49,s.12. 49-50V.c.48,s.27. 50-1V.c.11,s.9. 52-3V.c.63,s.19. Act13,1855,s.4. Act13,1856,s.2. Act5,1857,s.27. Act1,1859,s.118. Act24,1859,s.1. Act45,1860,s.11. Act5,1861,s.1. Act8,1864,s.1. Act17,1864,s.1. Act3,1865,s.2. Act10,1865,s.3. Act27,1866,s.2. Act6,1882,s.6,*Expln.* Act2,1886,s.3(*7*). Act10,1897,s.3(*39*). Ben.Act5,1864,s.1. Ben.Act2,1866,s.51. Ben.Act5,1867,s.1. Ben.Act3,1876,s.46. Ben.Act1,1893,s.3(*5*). Bom.Act3,1875,s.3(*2*)(*am.* Bom.Act1,1884,s.77). Bom.Act3,1886,s.3(*3*). Mad.Act1,1884,s.3(*c*). Mad.Act4,1884,s.3 (*xxix*). Mad.Act5,1884,s.3 (*xxii*). Mad.Act1,1891,s.3(*22*). N.&O.Act1,1887,s.2(*27*). Reg.8,1874,s.1.
"PERSON ACTING JUDICIALLY" defined — Ben.Act7,1880,s.23.
"PERSON FILLING A PUBLIC OFFICE" defined — Act7,1880,s.64.
"PERSON INTERESTED" defined — Act7,1878,s.10(*b*). Act1,1894,s.3(*b*).
"PERSON INTERESTED TO DENY" defined — Act1,1877,s.42,*Expln.*
"PERSON ENTITLED" (to land) defined — Act30,1839,s.1.

WORDS AND PHRASES—*cont.*:

"PERSON OF EUROPEAN EXTRACTION" defined - - - Act9,1874,s.3.

"PERSON OF UNSOUND MIND" defined. (*See also* LUNATIC) - Act27,1866,s.2.

"PERSONAL ESTATE" defined. (*See also* MOVEABLE PROPERTY) - Act25,1838,s.1.

"PERSONAL REPRESENTATIVE" defined. (*See also* LEGAL PERSONAL REPRESENTATIVE) - - 5-6V.c.45,s.2.

"PERSONATION" defined. *See* CHEATING BY PERSONATION.

"PETROLEUM" defined - - - - - - Act12,1886,s.3(*1*). Act20,1891,s.3(*6*).

"PETTY OFFICER" defined - - - - - Act14,1887,s.2(*1*)(*d*).

"PIER" defined - - - - - - Bom.Act6,1879,s.3(*9*). Mad.Act2,1886,s.3(*11*).

"PILGRIM" defined - - - - - - Act14,1895,s.5. Ben.Act1,1896,s.2(*a*). Bom.Act2,1887,s.2(*1*).

"PILGRIM-BROKER" defined - - - - - Ben.Act1,1896,s.2(*b*). Bom.Act2,1887,s.2(*2*).

"PILGRIM SHIP" defined - - - - - Act14,1895,s.5(*2*).

"PILOT" defined - - - - - - 57-8V.c.60,s.742. Act15,1879,s.2. Act6,1884,s.68. Act10,1889,s.3(*5*). Ben.Act4,1887,s.2.

"PLACE" defined. (*See also* PUBLIC PLACE) - - - Act10,1882,s.4(*w*). Act12,1896,s.3(*f*). Bom.Act6,1863,s.34(am. Bom.Act5,1887,s.1). Mad.Act1,1886,s.3(*20*). Mad.Act4,1889,s.3(*g*). Mad.Act1,1891,s.3(*23*).

"PLACE BELONGING TO HER MAJESTY" defined - - Act15,1889,s.2(*1*).

"PLAINTIFF" defined - - - - - - Act15,1877,s.3. Act14,1882,s.582(am.Act 7,1888,s.53). Bom.Act3,1876,s.3(*2*).

"PLAYING" defined. *See* GAMING.

"PLEADER" defined. (*See also* GOVERNMENT PLEADER; LEGAL PRACTITIONER) - - - - Act10,1882,s.4(*n*). Act14,1882,s.2. Reg.8,1896,Sch.2.

"PLEDGE" defined - - - - - - Act9,1872,s.172.

"PLUMBER" defined. *See* LICENSED PLUMBER.

"POISON" defined - - - - - - Bom.Act8,1866,s.2.

"POLICE" defined. (*See also* DISTRICT POLICE) - - Act24,1859,s.1[am. (except in Scheduled Distts.)Mad. Act3,1895,s.2]. Act5,1861,s.1. Bom.Act7,1867,s.1.

"POLICE AUTHORITY" defined - - - - - 44-5V.c.58,s.190(*39*).

"POLICE COMMISSIONER" defined. (*See also* COMMISSIONER OF POLICE) - - - Bom.Act3,1888,s.3(*f*).

WORDS AND PHRASES—*cont.*:

"POLICE-DAROGHA" defined - - - - - Act20,1856,s.61.

"POLICE-DISTRICT" defined. *See* GENERAL POLICE DISTRICT.

"POLICE FORCE" defined - - - - - - Act24,1859,s.8.

"POLICE MAGISTRATE" defined. (*See also* MAGISTRATE OF POLICE) 33-4V.c.52,s.26.

"POLICE OFFICER" defined. (*See also* MILITARY POLICE OFFICER; OFFICER IN CHARGE OF A POLICE-STATION; OFFICER OF POLICE; POLICE DAROGHA; VILLAGE POLICEMAN) - - - Ben.Act7,1864,s.3. Bom.Act7,1867,s.1. Bom.Act8,1867,s.1. Bom.Act4,1890,s.3(6).

"POLICE PORT-DUES" defined - - - - - Ben.Act3,1867,s.10.

"POLICE-STATION" defined. (*See also* DISTRICT POLICE STATION) - - - - Act10,1882,s.4(*o*).

"POLICY OF INSURANCE" defined - - - - - Act1,1879,s.3(*15*)(am.Act 1,1888,s.1,andfurther ad.Act6,1894,s.1).

"POLITICAL AGENT" defined - - - - - Act21,1879,s.3(am.Act5, 1896,s.1). Act10,1882,s.190. Act10,1897,s.3(*40*).

"POLITICAL TENURE" defined - - - - - Bom.Act2,1863,s.16(*c*). Bom.Act7,1863,s.32(*c*).

"POPULOUS PARTS OF THE CITY" defined - - - Mad.Act1,1884,s.3(*hh*).

"PORT" defined. (*See also* CUSTOMS-PORT; FOREIGN PORT; WAREHOUSING PORT) - - - Act15,1879,s.2. Act7,1880,s.2. Act12,1883,s.2. Act10,1889,s.3(*1*). Act5,1891,s.3. Ben.Act3,1867,s.1. Ben.Act4,1887,s.2. Bom.Act6,1879,s.3(*2*). Bom.Act6,1886,s.2(*1*). Bom.Act5,1888,s.2(*a*). Mad.Act3,1883,s.2(*i*). Mad.Act3,1885,s.3(*1*). Mad.Act2,1886,s.3(*2*).

"PORT DUES" defined. *See* HOSPITAL PORT DUES; POLICE PORT DUES.

"PORT OF CALCUTTA" defined - - - - - Ben.Act5,1880,s.2[am. Ben.Act2,1890,s. 4(*2*)].

"PORT-OFFICER" defined - - - - - - Act10,1889,s.3(*2*).

"POSSESSION" defined. (*See also* RECORDED POSSESSION) - Act45,1860,s.27. Act2,1876,s.3. Bom.Act2,1890,s.3(*o*).

"POST" defined - - - - - - - - Act13,1885,s.3(*5*).

"POSTAGE STAMP" defined - - - - - Act14,1866,s.66(*4*)(ins. Act3,1895,s.7).

"POSTAL OFFICER" defined - - - - - 54-5V.c.31,s.9.

"POWER OF APPOINTMENT" defined - - - - Act10,1865,*s.56,Expln.*

WORDS AND PHRASES—*cont.*:
"POWER OF ATTORNEY" defined - - - - - Act1,1879,s.3(*16*).
"PRECIOUS STONE" defined - - - - - Reg.12,1887,s.2(*1*).
"PRE-EMPTION" defined. *See* RIGHT OF PRE-EMPTION.
"PREMISES" defined - - - - - - Ben.Act1,1887,s.2.
"PREMIUM" defined - - - - - - Act4,1882,s.105.
"PRESCRIBED" defined. (*See also* MANNER PRESCRIBED) - 44-5V.c.58,s.190(*32*). 56V.c.5,s.29. Act5,1869,Pt.I,cl.(*e*)(*2*) (ins.Act12,1894,s.4). Act14,1883,s.2. Act15,1883,s.2(*e*). Act6,1884,s.5(*6*). Act7,1884,s.3(*5*). Act8,1885,s.3(*15*). Act2,1886,s.3(*3*). Act6,1886,s.3. Act11,1886,s.3(*15*). Act13,1886,s.3(*2*). Act22,1886,s.3(*13*)[am. Act20,1890,s.44(*2*)]. Act14,1887,s.2(*1*)(*j*). Act18,1889,s.3(*5*). Act8,1890,s.4(*8*). Act14,1895,s.5(*5*). Bom.Act1,1889,s.4(*b*). N.&O.Act1,1887,s.2(*28*) [am.N.&O.Act1,1896,s.3]. Reg.1,1886,s.3(*l*). Reg.5,1886,s.2(*9*).
"PRESCRIBED AREA" defined - - - - - Bom.Act5,1878,s.18A (*2*)(ins.Bom.Act3, 1892,s.2).
"PRESCRIBED DAY" defined - - - - - Act1,1883,s.24(*9*). Act20,1883,s.3(*6*).
"PRESCRIBED LIMIT" defined - - - - - Bom.Act5,1878,s.18A(*2*) (ins.Bom.Act3,1892, s.2).
"PRESCRIPTIVE RIGHT" defined - - - - - Act5,1882,s.1.
"PRESENTMENT" defined. *See* AFTER SIGHT; AT SIGHT; ON PRESENTMENT.
"PRESIDENCY" defined - - - - - - Act45,1860,s.48. Act17,1864,s.34(*v*)(ad. Act2,1890,s.7). Act2,1874,s.68(*v*)(ad. Act2,1890,s.15). Act8,1883,s.2(*2*).
"PRESIDENCY OF BENGAL" defined - - - - Act2,1874,s.3(am.Act2, 1890,s.10).
"PRESIDENCY OF FORT WILLIAM" defined - - - Act11,1876,s.3.
"PRESIDENCY OF BOMBAY" defined - - - - Act2,1874,s.3(am.Act2, 1890,s.10). Act11,1876,s.3. Bom.Act3,1886,s.3(*6*).

WORDS AND PHRASES—*cont.*:

"PRESIDENCY OF MADRAS" defined — Act2,1874,s.3. Mad.Act1,1891,s.3(*24*).

"PRESIDENCY OF FORT ST. GEORGE" defined — Act11,1876,s.3.

"PRESIDENCY-TOWN" defined. (*See also* CALCUTTA; CITY OF BOMBAY; CITY OF MADRAS) — Act2,1874,ss.3,68(*v*). (ad.Act2,1890,s.15). Act10,1882,s.4. Act10,1887,s.3(*41*). Mad.Act1,1891s.3,(*25*).

"PRESIDENT" defined — Mad.Act1,1884,s.3(*i*).

"PRESUME" defined. *See* MAY PRESUME; SHALL PRESUME.

"PREVENTIVE RELIEF" defined — Act1,1877,s.6.

"PRIEST" defined — Act15,1865,s.2.

"PRIMARY EVIDENCE" defined — Act1,1872,s.62.

"PRIME-MOVER" defined — Act18,1882,s.2. Ben.Act3,1879,s.3. Bom.Act2,1891,s.3(*b*). Mad.Act3,1893,s.2.

"PRINCIPAL" defined — Act9,1872,s.182.

"PRINCIPAL DEBTOR" defined — Act9,1872,s.126.

"PRINCIPAL OFFICER" defined — Act2,1886,s.3(*10*).

"PRINTING" defined — 7V.c.12,s.20.

"PRISON" defined. (*See also* CIVIL JAIL; JAIL) — 47-8V.c.31,s.18. Act9,1894,s.3(*1*).

"PRISONER" defined. *See* CIVIL PRISONER.

"PRIVATE DEBT" defined — Act16,1882,s.2.

"PRIVATE DOCUMENT" defined — Act1,1872,s.75.

"PRIVATE ESTATE UNDER GOVERNMENT MANAGEMENT" defined — Act10,1892,s.2(*3*).

"PRIVATE-FERRY" defined — Ben.Act1,1885,s.5.

"PRIVATE MARKET" defined — Bom.Act3,1888,s.398.

"PRIVATE SALT-WORK" defined — Bom.Act2,1890,s.3(*k*).

"PRIVATE SLAUGHTER-HOUSE" defined — Bom.Act3,1888,s.398.

"PRIVATE STREET" defined — Bom.Act3,1888,ss.3(*y*), 307.

"PRIVATE VACCINATOR" defined — Mad.Act4,1884,s.3(*xix*)(2). Mad.Act5,1884,s.3(*xvii*)(2).

"PRIVATE WATER" defined — Act4,1897,s.3(*3*). Ben.Act2,1889,s.2.

"PRIVILEGED OCCUPANT" defined — Bom.Act1,1880,s.3(*5*).

"PRIVILEGED WILL" defined — Act10,1865,s.52.

"PRIVY COUNCIL" defined — 52-3V.c.63,s.12(*5*). Act10,1897,s.3(*42*).

"PROBATE" defined — 55V.c.6,s.6. Act10,1865,s.3. Act5,1881,s.3.

"PROBATE DUTY" defined — 55V.c.6,s.6.

WORDS AND PHRASES—*cont.*:

"PROCLAIMED OFFENDER" defined - - - - Act10,1882,s.45(*e*)(*ii*) (ins. Act3,1894,s.2).

"PRODUCE" defined. *See* ACTUAL PRODUCE; FOREST-PRODUCE.

"PRODUCE OF A HOLDING" defined - - - - Act9,1883,s.17.

"PRODUCED" defined - - - - - - - 49-50V.c.33,s.11.

"PROFITS" defined. *See* MESNE PROFITS; NET ANNUAL PROFITS.

"PROHIBITED ARTICLE" defined - - - - - Act9,1894,s.3(*g*).

"PROMISE" defined. (*See also* EXPRESS PROMISE; IMPLIED PROMISE; RECIPROCAL PROMISE) - Act9,1872,s.2(*b*).

"PROMISEE" defined - - - - - - Act9,1872,s.2(*c*).

"PROMISOR" defined - - - - - - Act9,1872,s.2(*c*).

"PROMISSORY NOTE" defined - - - - - Act15,1877,s.3. Act26,1881,s.4.

"PROMOTER" defined - - - - - - Act11,1886,s.3(*7*). Ben.Act3,1883,s.3.

"PROOF" defined. *See* BURDEN OF PROOF; CONCLUSIVE PROOF; DISPROVED; NOT PROVED; PROVED.

"PROPERTY" defined. (*See also* ANCESTRAL PROPERTY; IMMOVEABLE PROPERTY; MOVEABLE PROPERTY; PERSONAL ESTATE; REAL ESTATE; REVENUE-FREE PROPERTY; SEPARATE PROPERTY; STOLEN PROPERTY; TRANSFER OF PROPERTY; TRUST-PROPERTY; WATAN PROPERTY) - - - - - Act13,1856,s.2. Act24,1859,s.1. Act5,1861,s.1. Act4,1869,s.3(*10*). Act1,1877,s.54,*Expln.* Act10,1882,s.517,*Expln.* Act14,1882,s.16,*Expln.* Ben.Act2,1866,s.51. Ben.Act4,1866,s.3. Bom.Act7,1867,s.1.

"PROPERTY MARK" defined. (*See also* USING A FALSE PROPERTY-MARK). Act45,1860,s.479.

"PROPERTY TAX" defined - - - - - Bom.Act3,1888,s.140.

"PROPOSAL" defined - - - - - - Act9,1872,s.2(*a*).

"PROPOSITIONS" defined. *See* MATERIAL PROPOSITIONS.

"PROPRIETARY ESTATE" defined - - - - - Mad.Act3,1895,s.4.

"PROPRIETARY RIGHT" defined - - - - - Act22,1886,s.3(*7*).

"PROPRIETOR" defined. (*See also* ACTUAL PROPRIETOR OF LAND; DISQUALIFIED PROPRIETOR; OWNER; RECORDED PROPRIETOR; UNDER PROPRIETOR) - - - Act19,1873,s.146,*Expln.* (ad.Act8,1879,s.12). Act11,1876,s.3. Act17,1876,s.108. Act18,1881,s.4(*6*)(am.Act 16,1889,s.5),*Expln.2*, 8(*a*)(am.Act16, 1889,s.8). Act9,1883,s.3(*11*),*Expln.* 2(am.Act17,1889,s.5). Act8,1885,s.3(*2*). Act5,1886,s.3(*7*).

WORDS AND PHRASES—*cont.*:

"PROPRIETOR" defined—*cont.* — Act22,1886,s.3(*6*); Act5,1888,s.50(*3*); Ben.Act7,1868,s.1.; Ben.Act6,1873,s.3.; Ben.Act7,1876,s.3(*8*); Ben.Act8,1876,s.4(xiii); Ben.Act6,1880,s.3.; Mad.Act2,1894,s.4.; Mad.Act3,1895,s.4.; Reg.1,1886,s.3(*f*).

"PROPRIETOR OF EAST INDIA STOCK" defined — 36V.c.17,s.2.

"PROPRIETOR OF LAND" defined — Ben.Reg.27,1795,s.10.

"PROPRIETORS OF VILLAGE LANDS" defined — N.&O.Act2,1892,s.2(*7*).

"PROSECUTING A SUIT" defined — Act15,1877,s.14,*Expln.2.*

"PROSECUTOR" defined. *See* PUBLIC PROSECUTOR.

"PROTECTED INTEREST" defined — Act8,1885,s.160.

"PROTECTED FOREST" defined — Act7,1878,s.28.

"PROTECTED WASTE LAND" defined — Reg.6,1893,s.2(*7*).

"PROTEST" defined — Act26,1881,s.100.

"PROTEST FOR BETTER SECURITY" defined — Act26,1881,s.100.

"PROVED" defined — Act1,1872,s.3.

"PROVIDENT FUND" defined. (*See also* RAILWAY PROVIDENT FUND) — Act9,1897,s.2.

"PROVINCE" defined — 55-6V.c.14,s.6.; Act10,1865,s.3.; Act5,1881,s.3.; Act10,1882,s.4.; Act10,1897,s.3(*43*).

"PROVINCE OF ORISSA" defined — Act9,1847,s.2.

"PROXY" defined — Act11,1876,s.57.

"PUBLIC" defined — Act45,1860,s.12.; Mad.Act1,1891,s.3(*26*).

"PUBLIC ACCOUNTANT" defined — Act12,1850,s.3.

"PUBLIC DEBT" defined — Act16,1882,s.2.

"PUBLIC DOCUMENT" defined — Act1,1872,s.74.; Act18,1881,s.146.; Act5,1888,s.14(*1*).

"PUBLIC EMBANKMENT" defined — Act32,1855,s.2.; Ben.Act6,1873,s.3.; Ben.Act2,1882,s.3.

"PUBLIC FERRY" defined — Mad.Act2,1890,s.3.

"PUBLIC HIGHWAY" defined — Ben.Act4,1868,s.8.

"PUBLIC HOLIDAY" defined — Act26,1881,s.25,*Expln.*; Bom.Act3,1888,s.3(*cc*).

"PUBLIC KNOWLEDGE" defined — Act5,1888,s.22.

"PUBLIC LAND-CONVEYANCE" defined — Bom.Act6,1863,s.1.

"PUBLIC MARKET," defined — Mad.Act1,1884,s.351.; Mad.Act4,1884,s.3 (XXVI).

WORDS AND PHRASES—*cont.*:

"PUBLIC MUHAMMADAN BURIAL GROUND" defined - - Ben.Act4,1889,s.2.

"PUBLIC NUISANCE" defined - - - - - Act45,1860,s.268.
Act10,1897,s.3(*44*).
Mad.Act1,1891,s.3(*27*).
N.&O.Act1,1887,s.2(*29*).

"PUBLIC OFFICE" defined - - - - - 55-6V.c.40,s.4.

"PUBLIC OFFICER" defined. (*See also* PUBLIC SERVANT) - Act14,1882,s.2.
Ben.Act1,1876,s.25.

"PUBLIC PLACE" defined - - - - - Act12,1876,s.3,*Expln.*
Act10,1882,s.133,*Expln.*

"PUBLIC PROSECUTOR" defined - - - - - Act10,1882,s.4(*m*).

"PUBLIC PURPOSE" defined - - - - - Act1,1894,s.3(*f*).

"PUBLIC ROAD" defined. (*See also* PUBLIC STREET) - - Act9,1890,s.125(*4*).

"PUBLIC REVENUES" defined. (*See also* REVENUE) - - Act13,1889,s.24.
Mad.Act2,1864,s.1.

"PUBLIC SECURITIES" defined. (*See also* GOVERNMENT SECURITY) - - - Bom.Act6,1879,s.3(*12*).
Bom.Act6,1886,s.69.
Bom.Act3,1888,s.3(*o*).
Bom.Act5,1888,s.66(*3*).

"PUBLIC SERVANT" defined. (*See also* EXPECTING TO BE A PUBLIC SERVANT; PUBLIC OFFICER) - - - Act45,1860,s.21.

"PUBLIC STREET" defined. (*See also* PUBLIC ROAD) - - Ben.Act2,1888,s.3.
Bom.Act3,1888,s.3(*x*).
Mad.Act1,1884,s.3(*o*)(am.
Mad.Act2,1892,s.3).
Mad.Act4,1884,s.3(*viii*).
Mad.Act5,1884,s.3(*x*).

"PUBLIC USE OR KNOWLEDGE" defined - - - - Act5,1888,s.22.

"PUBLIC VACCINATOR" defined - - - - - Ben.Act5,1880,s.2.
Bom.Act1,1877,s.2(*3*).
Bom.Act4,1879,s.2(*3*).
Bom.Act1,1892,s.4(*c*).
Mad.Act4,1884,s.3(*xix*)(*1*).
Mad.Act5,1884,s.3(*xvii*)(*1*).

"PUBLIC VACCINE-STATION" defined - - - - Ben.Act5,1880,s.14.
Bom.Act1,1877,s.3.
Bom.Act4,1879,s.3.

"PUBLIC WATER-CONVEYANCE" defined - - - - Bom.Act6,1863,s.1.

"PUBLIC WATER-COURSE" defined - - - - Ben.Act6,1873,s.3.
Ben.Act2,1882,s.3.

"PURCHASER" defined - - - - - - Act30,1839,s.1.

"PURPOSE" defined. (*See also* PUBLIC PURPOSE) - - Act13,1887,s.2(*3*).

"PURPOSES" defined. *See* SUPPLY OF WATER FOR DOMESTIC PURPOSES.

"QUALIFIED ACCEPTANCE" defined - - - - Act26,1881,s.86,*Expln.*

"QUALIFIED OFFICER" defined - - - - - 44-5V.c.58,s.122(*b*).

WORDS AND PHRASES—*cont.*:

"QUALIFYING TAX" defined — Bom.Act3,1888,s.11(*3*).
"QUARRY" defined — Act5,1886,s.3(*5*).
"QUASI-DHAREKARI" defined — Bom.Act1,1880,s.3(*7*).
"QUEEN" defined. (*See also* HER MAJESTY) — Act45,1860,s.13. Act10,1897,s.3(*23*).
"QUEEN'S COIN" defined. (*See also* COIN) — Act45,1860,s.230 (am. Act6,1896,s.1(*1*)).
"QUESTION OF FACT" defined — Act9,1872,ss.46,*Expln.*, 48,*Expln.*
"RAILWAY" defined — 42-3V.c.41,s.1. 57-8V.c.12,s.2. Act11,1887,s.2. Act9,1890,ss.3(*4*),148(*1*). Act10,1895,s.2(*1*),(*2*). Ben.Act2,1888,s.3. Mad.Act4,1886,s.2.
"RAILWAY-ADMINISTRATION" defined — Act9,1890,s.3(*6*).
"RAILWAY COMPANY" defined. (*See also* INDIAN RAILWAY COMPANY) — 42-3V.c.41,s.1. Act9,1890,s.3(*5*). Act10,1895,s.2(*3*).
"RAILWAY PROVIDENT FUND" defined — Act9,1897,s.2(*3*).
"RAILWAY SERVANT" defined — Act9,1890,ss.3(*7*),148(*2*).
"RAIYAT" defined. (*See also* NON-OCCUPANCY RAIYAT; OCCUPANCY-RAIYAT; SETTLED RAIYAT; UNDER-RAIYAT) — Act8,1885,s.5(*2*).
"RAIYAT HOLDING AT FIXED RATE" defined — Act8,1885,s.4(*a*).
"RAPE" defined — Act45,1860,s.375.
"RATE" defined. (*See also* OCCUPIER'S RATE; OWNER'S RATE; RURAL POLICE RATE) — Act9,1890,s.3(*13*). Ben.Act3,1884,s.15,prov. [am.Ben.Act 4,1894,s.7(*2*)]. Bom.Act6,1879,s.3(*1*). Mad.Act2,1886,s.3(*1*).
"RATEABLE OWNER OR OCCUPIER" defined — Reg.1,1883,s.2.
"RATES AND CESSES" defined — Act16,1887,s.4(*11*). Act17,1887,s.3(*9*).
"RAWANA" defined — Ben.Act7,1864,s.3.
"REAL ESTATE" defined. (*See also* IMMOVEABLE PROPERTY) — Act25,1838,s.1.
"REAL VALUE" defined — Act8,1878,s.30. Act2,1896,s.7(*2*),(*3*).
"REASON TO BELIEVE" defined. (*See also* GOOD FAITH) — Act45,1860,s.26. Act15,1887,s.3(*6*). Act5,1892,s.2(*6*). Reg.3,1881,s.2. Reg.2,1888,s.2(*4*). Reg.4,1890,s.3(*5*).
"REASONABLE CAUSE" defined — Act1,1882,s.171,*Expln.*
"REASONABLE CAUSE FOR REMAND" defined — Act10,1882,s.344,*Expln.*
"RECEIPT" defined — Act1,1879,s.3(*17*).

WORDS AND PHRASES—*cont.*:

"RECIPROCAL PROMISE" defined - - - - - Act9,1872,s.2(*f*).
"RECLAIMED LAND" defined - - - - - Ben.Act6,1880,s.3.
"RECOGNIZED AGENT" defined - - - - - Act18,1881,s.4(*d*). Reg.4,1876,s.4(*c*)ofSch. Reg.1,1877,s.28.
"RECOGNIZED AGENT OF LANDLORD" defined - - - Act8,1885,s.145.
"RECOGNIZED AGENT OF PRINCE OR CHIEF" defined - - Act14,1832,s.432(am. Act 7,1888,s.37).
"RECOGNIZED SHARE OF SURVEY NUMBER" defined - - Bom.Act5,1879,s.3(*7*).
"RECORD-OF-RIGHTS" defined - - - - - Act18,1881,s.4(*17*). Act9,1883,s.3(*13*). Ben.Act3,1895,s.2(*2*).
"RECORDED CO-SHARER" defined - - - - - Act17,1876,s.69.
"RECORDED LANDHOLDER" defined - - - - Reg.1,1886,s.3(*i*).
"RECORDED PROPRIETOR" defined - - - - Ben.Act7,1876,s.3(*9*). Ben.Act8,1876,s.4(*xiv*). Reg.1,1886,s.3(*i*).
"RECORDED POSSESSION" defined - - - - - Reg.1,1886,s.3(*i*).
"RECORDED SHARER" defined - - - - - Reg.1,1886,s.3(*i*).
"RECORDER" (of Rangoon) defined - - - - Act11,1889,s.3(*6*).
"RECRUIT" defined - - - - - - Act5,1869,Pt.1,cl.(*e*)(*9*) (ins.Act12,1894,s.4).
"RECRUITER" defined - - - - - - Act1,1882,s.3. Act21,1883,s.6(*6*).
"RECTIFICATION" defined - - - - - - Mad.Act1,1886,s.3(*19*).
"RE-EXAMINATION" defined - - - - - - Act1,1872,s.137.
"REGIMENTAL" defined - - - - - - 44-5V.c.58,s.190(*17*).
"REGISTER" defined - - - - - - Bom.Act1,1892,s.4(*k*).
"REGISTERED" defined - - - - - - Act1,1869,s.2. Act11,1876,s.3. Act15,1877,s.3. Act2,1882,s.3. Act4,1882,s.3. Act8,1885,s.3(*18*). Act10,1885,s.1. Act22,1886,s.3(*14*). Act10,1897,s.3(*45*). Mad.Act1,1891,s.3(*28*). Mad.Act3,1896,s.2. N.&O.Act1,1887,s.2(*30*).
"REGISTERED AND NOTIFIED INCUMBRANCE" defined - - Act8,1885,s.161(*b*).
"REGISTERED MEDICAL PRACTITIONER" defined - - - 49-50V.c.48,s.29.
"REGISTERED OCCUPANT" defined - - - - - Bom.Act5,1879,s.3(*17*).
"REGISTERED OCCUPANT OF SURVEY NUMBER" defined - - Bom.Act1,1880,s.26.
"REGISTERED OFFICE OF COMPANY" defined - - - Act6,1882,s.243.
"REGISTERED TALUKDAR" defined - - - - - - Bom.Act6,1888,s.2(*1*)(*b*).
"REGISTERING-OFFICER" defined - - - - - Act1,1882,s.3. Act21,1883,s.6(*5*).

WORDS AND PHRASES—*cont.*:

"REGISTRAR" defined — Ben.Act1,1876,s. 2.
"REGISTRAR OF BIRTHS" defined — Bom.Act1,1892,s.4(*j*).
"REGISTRAR OF BIRTHS AND DEATHS" defined — Act6,1886,s.3.
"REGISTRAR OF JOINT STOCK COMPANIES" defined — Act6,1882,s.255.
"REGISTRAR GENERAL OF BIRTHS, DEATHS AND MARRIAGES" defined — Act15,1872,s.[illegible]ad.Act6, 1886,s.30(*a*)].
"REGISTRATION" defined — Bom.Act1,1892,s.4(*k*).
"REGULAR FORCES" defined — 44-5V.c.58,s.190(*8*).
"REGULAR LINE OF STREET" defined — Ben.Act2,1888,s.206. Bom.Act3,1888,s.297(*2*).
"REGULATION" defined — Act10,1897,s.3(*46*). Ben.Reg.7,1828,s.25(am. Act14,1881,s.12).
"REGULATIONS OF COMPANY" defined — Act6,1882,s.76.
"RELATIONSHIP" defined. *See* KINDRED; NEXT-OF-KIN.
"RELEASE" defined. *See* IMPLIED RELEASE.
"RELEVANT" defined — Act1,1872,s.3.
"RELIEF" defined. *See* PREVENTIVE RELIEF.
"REMEDY" defined — Act23,1870,s.3.
"REMISSION SYSTEM" defined — Act9,1894,s.3(5).
"REMODELLED BASTI" defined — Ben.Act2,1888,s.256.
"REMOVAL" defined — Bom.Act2,1890,s.3(*o*).
"REMUNERATION" defined. *See* LEGAL REMUNERATION.
"RENT" defined. (*See also* ARREAR OF RENT; WATER-RENT) — Act19,1873,s.3(*4*). Act12,1881,s.3(*2*). Act18,1881,s.4(*15*). Act4,1882,s.105. Act9,1883,s.3(*4*). Act8,1885,s.3(*5*). Act22,1886,s.3(*5*). Act16,1887,s.4(*3*). Act17,1887,s.3(*4*). Act9,1889,ss.4(*6*),9(*6*). Mad.Act1,1887,s.2(*3*).
"RENTAL" defined — Ben.Act8,1876,s.7.
"REPRESENTATION" defined — 56V.c.5,s.29. 57-8V.c.60,s.742.
"REPRESENTATIVE" defined. (*See also* AGENT; LEGAL PERSONAL REPRESENTATIVE; LEGAL REPRESENTATIVE; PERSONAL REPRESENTATIVE) — 56V.c.5,s.29. Act3,1877,s.3. Act22,1886,s.3(*12*).
"REPRESENTATIVE OF THE GOVERNMENT OF INDIA," defined — Act1,1872,s.86(am.Act 3,1891,s.3).
"REPRESENTATIVE LEGISLATURE" defined — 53-4V.c.27,s.15.
"REPRESENTATIVE MATADAR" defined — Bom.Act6,1887,s.2(*5*).
"REPRESENTATIVE WATANDAR" defined — Bom.Act3,1874,s.4.
"RESERVED FOREST" defined — Act7,1878,s.19 Reg.6,1893,s.2(*c*)

WORDS AND PHRASES—*cont.* :

"RESIDE" defined - - - - - - - Bom.Act3,1888,s.3(*n*).

"RESIDENCE" defined - - - - - - Mad.Act1,1884,s.3(*aa*).

"RESIDENCE OUT OF BRITISH INDIA" defined - - - Act14,1882,s.382.

"RESIDENT" defined - - - - - - Act2,1864,s.1.
Bom.Act1,1883,s.3.
Reg.11,1887,s.2(*4*).

"RESOLUTION" defined. *See* SPECIAL RESOLUTION.

"RESTRAINT" defined. *See* WRONGFUL RESTRAINT.

"RETAIL" defined - - - - - - - Act12,1896,s.3(*n*).
Mad.Act1,1884,s.3(*v*).

"RETAIL SALE" defined - - - - - - Act4,1857,s.12.
Ben.Act7,1878,s.15.

"REVENUE" defined. (*See also* LAND-REVENUE; PUBLIC REVENUES; SALT REVENUE; WATER REVENUE) - - - - - Act23,1850,s.12.
Act12,1851,s.16.
Act22,1886,s.3(*4*).
Ben.Act7,1868,s.1.
Mad.Act6,1867,s.1.
Reg.1,1889,s.3(*1*).
Reg.3,1889,s.37(*1*).

"REVENUE COURT" defined - - - - - Act19,1873,s.3(*9*).
Act14,1882,s.4A(*2*)(ins.
Act7,1888,s.3).
Act16,1887,s.4(*11*).

"REVENUE-DEFAULTER" defined. (*See also* DEFAULTER) - Reg.1,1889,s.6(*2*).

"REVENUE-FREE" defined - - - - - Act19,1873,s.3(*10*).
Act17,1876,s.2.

"REVENUE-FREE PROPERTY" defined - - - - Ben.Act7,1876,s.3(*10*).

"REVENUE-OFFICE" defined - - - - - Act18,1879,s.3.

"REVENUE-OFFICER" defined. (*See also* CHIEF CONTROLLING REVENUE-AUTHORITY; CHIEF REVENUE-AUTHORITY; COMMISSIONER OF REVENUE; SALT REVENUE-OFFICER) - - Act1,1872,s.125,*Expln.*
(am.Act3,1887).
Act2,1876,s.3(*b*).
Act10,1876,s.3.
Act17,1876,s.2.
Act2,1880,s.2.
Act9,1883,s.3(*9*).
Act8,1885,s.3(*17*).
Act16,1887,s.4(*14*).
Act17,1887,s.3(*12*).
Bom.Act5,1879,s.3(*1*).
Mad.Act1,1884,s.3(*j*)(am.
Mad.Act 2,1892,s.3).
Reg.2,1877,s.2(*c*).

"REVENUE-SURVEY" defined - - - - - Bom.Act5,1879,s.95.

"REVENUE YEAR" defined - - - - - - Bom.Act5,1879,s.3(*21*).

"REVOCATION" defined - - - - - - Act10,1865,s.57,*Illn.*

"REVOKED LICENSE" defined - - - - - Act5,1882,s.62.

"REWARD" defined. *See* MILITARY RECORD; MOTIVE OR REWARD FOR DOING.

WORDS AND PHRASES—*cont.*:

"RIGHT" defined. *See* ACCESSORY RIGHT; CONTINGENT RIGHT; GENERAL CUSTOM OR RIGHT; PRESCRIPTIVE RIGHT; PROPRIETARY RIGHT; UNDER-PROPRIETARY RIGHT; RECORD-OF-RIGHTS.

"RIGHT OF PRE-EMPTION" defined - Act4,1872,s.9(am.Act 12,1878,s.2). Act18,1876,s.6. Reg.3,1877,s.6.

"RIGHT TO REDEEM" defined - Act4,1882,s.60.

"RIOTING" defined - Act45,1860,s.146.

"RIVER" defined - Act7,1878,s.2. Act15,1879,s.2. Act19,1881,s.3. Ben.Act4,1887,s.2. Mad.Act5,1882,s.2. Reg.6,1887,s.2(7). Reg.7,1891,s.3(7).

"ROAD" defined. (*See also* PUBLIC ROAD; PUBLIC STREET; STREET) - Act11,1886,s.3(2). Ben.Act5,1876,s.6(15). Ben.Act3,1883,s.2. Ben.Act3,1884,s.6(13). Bom.Act1,1874,s.2.

"ROAD-AUTHORITY" defined - Act11,1886,s.3(3).

"ROAD-PATROL" defined. - Ben.Act5,1887,s.2.

"ROBBERY" defined - Act45,1860,s.390.

"ROLLING-STOCK" defined. - Act9,1890,s.3(10).

"ROMAN CATHOLIC" defined - Act15,1872,s.3.

"RUBBISH" defined - Ben.Act5,1876,s.6(16). Ben.Act3,1884,s.6(14). Ben.Act2,1888,s.3.

"RULES" defined. (*See also* BYE-LAW; MINT RULES) - Act 20,1891,s.3(9). Act10,1897,s.3(47).

"RURAL POLICE RATE" defined - N.&O.Act5,1894,s.13(3).

"SALARIED OFFICE" defined - Mad.Act5,1884,s.3(viii).

"SALARIED SERVANT OF GOVERNMENT" defined - Ben.Act3,1885,s.5. Bom.Act1,1884,s.3(3). Bom.Act2,1884,s.4(4).

"SALARY" defined - Act2,1886,s.3(4). Mad.Act1,1884,s.3(s). Mad.Act4,1884,s.3(x).

"SALE" defined. (*See also* MORTGAGE BY CONDITIONAL SALE; MORTGAGEE BY CONDITIONAL SALE; RETAIL; RETAIL SALE; SELLING; WHOLESALE) - Act9,1872,s.77. Act4,1882,s.54. Mad.Act3,1864,s.2. Mad.Act1,1886,s.3(14).

"SALINE-SUBSTANCE" defined - Mad.Act4,1889,s.3(c).

"SALT" defined. (*See also* KOBAT SALT; MANUFACTURE OF SALT; NATURAL SALT) - Ben.Act7,1864,s.3. Bom.Act2,1890,s.3(e). Mad.Act4,1889,s.3(b). Reg.3,1889,s.33(i).

WORDS AND PHRASES—*cont.*:

"SALT IN POSSESSION OF SERVANT OR AGENT" defined - - Ben.Act7,1864,s.3.

"SALT-EARTH" defined - - - - - - Bom.Act2,1890,s.3(*f*).
Mad.Act4,1889,s.3(*d*).

"SALT-FACTORY" defined - - - - - - Mad.Act4,1889,s.3(*i*).

"SALTPETRE" defined - - - - - - Act12,1882,s.3.
Mad.Act4,1889,s.3(*e*).
Reg.3,1889,s.33(*l*).

"SALT-REVENUE" defined - - - - - Mad.Act4,1889,s.3(*a*).

"SALT-REVENUE-OFFICER" defined - - - - Act12,1882,s.3.
Bom.Act2,1890,s.3(*c*).

"SALT-WORK" defined. (*See also* PRIVATE SALT-WORK; SEPARATE SALT-WORK) - - - Ben.Act7,1864,s.3.
Bom.Act2,1890,s.3(*h*).
Mad.Act.4,1889,s.3(*j*).

"SALVAGE" defined - - - - - - - 57-8V.c.60,s.510(2).

"SALVOR" defined - - - - - - - 57-8V.c.60,s.742.

"SAMBANDHAM" defined - - - - - - Mad.Act4,1896,s.2.

"SANITARY BOARD" defined - - - - - Ben.Act3,1884,s.6(*14A*)
(ins.Ben.Act4,1894,s.8).

"SANITARY COMMISSIONER" defined - - - - Ben.Act1,1892,s.4(*i*).
N.&O.Act2,1892,s.2(*b*).

"SARAI" defined - - - - - - - - Act22,1867,s.2.

"SCHEDULE" defined - - - - - - Act10,1897,s.3(*48*).

"SCHEDULED DISTRICT" defined - - - - - Act14,1874,s.1.
Act15,1874,s.2.
Act10,1897,s.3(*49*).

"SCULPTURE" defined. *See* ARTICLES OF SCULPTURE.

"SEAMAN" defined - - - - - - - 57-8V.c.60,s.742.
Act1,1859,s.118.
Act13,1876,s.2.
Act5,1883,s.29(*3*).

"SECOND COUSIN" defined - - - - - Act10,1865,s.86.

"SECOND-IN-COMMAND" defined - - - - - Act15,1887,s.3(5).
Act5,1892,s.2(5).
Reg.2,1888,s.2(*3*).

"SECONDARY EVIDENCE" defined- - - - - Act1,1872,s.63.

"SECRETARY" defined - - - - - - Act5,1873,s.3.
Act11,1876,s.3.
Act5,1888,ss.4(*8*),50(*4*).
Bom.Act13,1866,s.6.

"SECTION" defined - - - - - - - Act10,1897,s.3(*50*).
Bom.Act3,1886,s.3(*21*).
Mad.Act1,1891,s.3(*4*).
N.&O.Act1,1887,s.2(*5*).

"SECURITY" defined. (*See also* CURRENCY NOTE; GOVERNMENT SECURITY; INSUFFICIENT SECURITY; PROMISSORY NOTE; PUBLIC SECURITIES; VALUABLE SECURITY) - - Act7,1889,s.3(*2*).

"SELLER'S LIEN" defined - - - - - - Act9,1872,s.95.

WORDS AND PHRASES—*cont.*:

"SELLING" defined. (*See also* SALE) - - - - { Mad.Act3,1864,s.2. Mad.Act1,1886,s.3(*14*).
"SENIOR HEIR" defined - - - - - - Bom.Act6,1887,s.2(*6*).
"SENTENCE OF IMPRISONMENT" defined - - - - - 47-8V.c.31,s.18.
"SEPARATE CONFINEMENT" defined - - - - Act9,1894,s.46(*8*),*Expln.*
"SEPARATE DISTRICT" defined - - - - - Ben.Act7,1878,s.4.
"SEPARATE ESTATE" defined - - - - - Ben.Act8,1876,s.4(*xvi*).
"SEPARATE OFFENCE" defined - - - - - Act7,1864,s.5.
"SEPARATE PROPERTY" defined - - - - - Act3,1874,s.4.
"SEPARATE SALT-WORK" defined - - - - - Ben.Act7,1864,s.5.
"SEPARATE SCHEME" defined - - - - - Ben.Act6,1880,s.54.
"SEPARATE VILLAGE CHANNEL" defined - - - - Ben.Act3,1876,s.47.
"SER" defined - - - - - - - { Act31,1871,s.2. Act12,1896,s.3(*m*). Ben.Act7,1864,s.3. Bom.Act5,1878,s.3(*12*).
"SERVANT" defined. *See* EXPECTING TO BE A PUBLIC SERVANT; PUBLIC SERVANT; RAILWAY SERVANT; SALARIED SERVANT OF GOVERNMENT.
"SERVANT OF THE QUEEN" defined - - - - - Act45,1860,s.14.
"SERVICE" defined. *See* ACTIVE SERVICE; MILITARY SERVICE; NAVAL SERVICE.
"SERVICE BY POST" defined - - - - - - 52-3V.c.63,s.26.
"SERVIENT HERITAGE" defined - - - - - Act5,1882,s.4.
"SERVIENT OWNER" defined - - - - - Act5,1882,s.4.
"SESSIONS DIVISION" defined - - - - - Act10,1882,s.7.
"SETTLED RAIYAT" defined - - - - - Act8,1885,s.20(*l*).
"SETTLEMENT" defined. (*See also* PERMANENT SETTLEMENT) - { Act1,1877,s.3,*Illn.* Act1,1879,s.3(*19*).
"SETTLEMENT OF LAND-REVENUE" defined - - } Act8,1885,s.110,*Expln.* (ins.Ben.Act5,1894,s.2).
"SETTLEMENT CESS" defined - - - - - N.&O.Act 5,1894,s.3(*5*).
"SETTLEMENT-HOLDER" defined - - - - - Reg.1,1886,s.3(*h*).
"SETTLEMENT-OFFICER" defined - - - - - { Act9,1883,s.3(*9*). Ben.Act8,1879,s.3.
"SEWAGE" defined - - - - - - { Act17,1884,s.2(ins.Act 21,1891,s.1). Ben.Act3,1884,s.6(*17*). Ben.Act2,1888,s.3. N.&O.Act3,1894,s.3(*5*).
"SHALL PRESUME" defined - - - - - Act1,1872,s.4.
"SHAN STATE" defined - - - - - - { Act15,1888,s.2(*l*). Act11,1889,s.3(*2*).
"SHARE" defined - - - - - - { 46-7V.c.30,s.2. Act11,1876,s.3.
"SHAREHOLDER" defined. (*See also* RECORDED CO-SHARER; RECORDED SHARER) - - } Act11,1876,s.3.

WORDS AND PHRASES—*cont.*:

"SHIP" defined. (*See also* BRITISH INDIAN SHIP; BRITISH SHIP; BRITISH STEAM-SHIP; COASTING SHIP; COASTING STEAMER; COASTING VESSEL; FOREIGN-GOING SHIP; FOREIGN SHIP; HOME-TRADE PASSENGER SHIP; HOME-TRADE SHIP; PILGRIM SHIP; STEAMER; STEAM-SHIP; VESSEL)	33-4V.c.90,s.30. 41-2V.c.73,s.7. 57-8V.c.60,s.742. Act7,1880,s.2. Act5,1883,s.3. Act12,1886,s.3(5). Act10,1887,s.5(1). Act10,1889,*Sch.1,Pt.2. Expln.1(a).* Act10,1897,s.3(51).
"SHIP AND EQUIPMENT" defined	33-4V.c.90,s.30.
"SHIP OF A FOREIGN STATE" defined. (*See also* VESSEL OF A FOREIGN STATE)	54-5V.c.31,s.9.
"SHOP" defined	Mad.Act3,1864,s.2[ins. Mad.Act5,1879,s.4(i)].
"SHORT VOYAGE" defined	Act10,1887,s.5(4).
"SIGN" defined	Act6,1886,s.3. Act10,1897,s.3(52). Mad.Act1,1891,s.3(29). N.&O.Act1,1887,s.2(31).
"SIGNATURE" defined	Act3,1877,s.3.
"SIGNED" defined	Act1,1869,s.2. Act3,1877,s.3. Act15,1877,s.19,*Expln.2.* Act14,1882,s.2. Act8,1885,s.3(14). Act22,1886,s.3(15).
"SIMPLE MORTGAGE" defined	Act4,1882,s.58(b).
"SIMPLE MORTGAGEE" defined	Act4,1882,s.58(b).
"SIR-LAND" defined	Act19,1873,s.3(5). Act12,1881,s.3(4). Act18,1881,s.4(6)(am. Act16,1889,s.5). Act16,1882,s.2. Act9,1883,s.3(11)(am. Act17,1889,s.5).
"SKETCH" defined	52-3V.c.52,s.8. Act15,1889,s.2(5).
"SLAUGHTER-HOUSE" defined. (*See also* MUNICIPAL SLAUGHTER-HOUSE; PRIVATE SLAUGHTER-HOUSE)	Ben.Act2,1888,s.3.
"SLAVE COURT" defined	36-7V.c.88,s.2.
"SLAVE TRADE" defined	36-7V.c.88,s.2.
"SMALL CAUSE" defined	Act18,1884,s.3(1)(am.Act 13,1888,s.2).
"SMALL CAUSE COURT" and "COURT OF SMALL CAUSES" defined	Act15,1882,s.4. Act9,1887,s.4. Act7,1892,s.2(4). Bom.Act3,1888,s.3(l).
"SOLDIER" defined	44-5V.c.58,s.190(6). Act45,1860,s.131,*Expln.* (am.Act27,1870,s.6).

WORDS AND PHRASES—*cont.* :

"SOLDIER" defined.—*cont.* - - - - - Act5,1869,Pt.1,cl.(*e*)(*8*) (am.Act12,1894,s.4). Act14,1873,s.2. Act2,1874,s.3. Act13,1889,s.3(*1*)(*b*).

"SOLITARY CONFINEMENT" defined - - - Act9,1894,s.46(*11*),*Expln.*

"SON" defined. (*See also* CHILD) - - - - Act10,1865,s.87. Act1,1869,s.21. Act21,1870,s.6. Act10,1897,s.3(*53*). Mad.Act1,1891,s.3(*30*). N.&O.Act1,1837,s.2(*32*).

"SOURCE OF INCOME" defined - - - - - Act2,1886,s.24(*1*).

"SPECIAL AGREEMENT" defined - - - - - Act22,1886,s.71.

"SPECIAL COMMISSIONER" defined - - - - Ben.Act2,1869,s.1.

"SPECIAL COURT" defined - - - - - Act11,1889.

"SPECIAL LAW" defined - - - - - - Act45,1860,s.41.

"SPECIAL MEETING" defined - - - - - Act1,1876,s.3.

"SPECIAL RESOLUTION" defined - - - - - Act11,1876,s.3. Act6,1882,s.77.

"SPECIFIC LEGACY" defined - - - - - Act10,1865,s.129. Act5,1881,s.3.

"SPIRIT" defined. (*See also* LIQUOR) - - - - Act12,1896,s.3(*i*). Mad.Act1,1886,s.3(*8*).

"SPIRITUOUS LIQUOR" defined - - - - - Act13,1889,s.3(*1*)(*c*). Ben.Act7,1878,s.4.

"STAGE-CARRIAGE" defined - - - - - Act16,1861,s.1. Ben.Act2,1891,s.3(*4*).

"STAMP" defined. *See* FICTITIOUS STAMP; POSTAGE STAMP.

"STAMPED" defined. *See* DULY STAMPED.

"STANDING COMMITTEE" defined - - - - Mad.Act1,1884,s.3(*z*).

"STANDING CROPS" defined - - - - - Act17,1879,s.2(*6th*)(am. Act6,1895,s.2).

"STATE FOREST" defined - - - - - - Reg.5,1890,s.2(*2*).

"STATE LAND" defined - - - - - - Reg.3,1889,s.23.

"STATION" defined. (*See also* POLICE-STATION) - - - Ben.Act5,1876,s.6(*20*).

"STATUTE ADULT" defined - - - - - 57-8V.c.60,s.268(*2*).

"STEAMER" defined. (*See also* COASTING STEAMER; FOREIGN STEAMER; PASSENGER STEAMER) - Act10,1889,Sch.1,Pt.2, *Expln.1*(*a*).

"STEAM-SHIP" defined. (*See also* BRITISH STEAM-SHIP) - Act7,1884,s.3(*1*).

"STEAM-VESSEL" defined. (*See also* INLAND STEAM-VESSEL) - Act6,1884,s.5(*2*).

"STEERAGE PASSAGE" defined - - - - - 57-8V.c.60,s.268(*4*).

"STEERAGE PASSENGER" defined - - - - - 57-8V.c.60,s.268(*3*).

"STOCK" defined. (*See also* CAPITAL STOCK; INDIA STOCK) - Act27,1866,s.2. Act11,1876,s.56.

"STOLEN PROPERTY" defined - - - - - Act45,1860,s.410.

"STONE" defined - - - - - - - Reg.12,1887,s.2(*1*).

WORDS AND PHRASES—*cont.*:

"STONE-TRACT" defined - - - - - - Reg.12,1887,s.2(*2*).

"STORES" defined. *See* MILITARY STORES.

"STREAM" defined. *See* NATURAL STREAM.

"STREAM-EMBANKMENT" defined - - - - Reg.8,1887,s.2(*2*).

"STREET" defined. (*See also* PRIVATE STREET; PUBLIC ROAD; PUBLIC STREET; ROAD) - - - Act5,1857,s.27. Act22,1883,s.2. Act17,1884,s.2. Act19,1884,s.2(*2*). Act1,1886,s.2. Act18,1889,s.3(*3*). Act11,1890,s.2(*2*). Act20,1891,s.3(*4*). Ben.Act2,1888,s.3. Ben.Act9,1895,s.2(*f*). Bom.Act5,1863,s.28. Bom.Act6,1873,s.3[am. Bom.Act2,1884,s.49(*a*)]. Bom.Act3,1888,s.3(*w*). Bom.Act4,1890,s.3(*e*). Mad.Act1,1884,s.3(*n*). Mad.Act4,1884,s.3(*vii*). Mad.Act5,1884,s.3(*ix*). N.&O.Act1,1891,s.2(*b*). N.&O.Act3,1894,s.3(*3*). Reg.5,1886,s.2(*5*).

"SUB-AGENT" defined - - - - - - Act9,1872,s.191.

"SUB-COLLECTOR" defined - - - - - Bom.Act3,1869,s.13. Bom.Act2,1871,s.1.

"SUB-CONTRACTOR" defined - - - - - Act1,1882,s.3.

"SUB-DISTRICT" defined - - - - - - Act3,1877,s.3.

"SUB-DIVISION" defined - - - - - - Act10,1882,s.4(*f*).

"SUB-DIVISIONAL CANAL OFFICER" defined - - - - Act8,1873,s.3(*8*).

"SUBJACENT AND ADJACENT SOIL" defined - - - Act5,1882,s.7,*Expln.*to *Ill.*(*e*).

"SUB-LAMBARDAR" defined - - - - - Act18,1881,s.4(*12*).

"SUBORDINATE" defined - - - - - Act24,1859,s.1.

"SUBORDINATE COURT" defined - - - - - Act18,1879,s.3.

"SUBORDINATE JUDGE" defined - - - - - Act3,1873,s.8. N.&O.Act2,1896,s.3(*3*).

"SUBORDINATE MAGISTRATE, FIRST CLASS"; construction of references to - - - - - - - Act10,1882,s.3.

"SUBORDINATE MAGISTRATE, SECOND CLASS"; construction of references to - - - - - - - Act10,1882,s.3.

"SUBSTANTIAL DAMAGE" defined - - - - - Act5,1882,s.33,*Expln.*1.

"SUB-SECTION" defined - - - - - - Act10,1897,s.3(*54*). Bom.Act3,1888,s.3(*dd*). Mad.Act1,1891,s.3(*31*). N.&O.Act1,1887,s.2(*6*).

WORDS AND PHRASES—*cont.*:

"SUBSIDY" defined - - - - - - 54-5V.c.31,s.9.

"SUB-TENANT" defined - - - - - - Act18 1881,s.4. Act9,1883,s.51(*1*)(am. Act17,1889,s.12).

"SUBURBS OF BOMBAY" defined. *See* TOWN AND SUBURBS OF BOMBAY.

"SUBURBS OF CALCUTTA" defined - - - - - Ben.Act2,1863,s.5.

"SUCCESSION" defined - - - - - - Act8,1885,s.3(*13*).

"SUCCESSOR IN OFFICE" defined - - - - - Act6,1890,s.11.

"SUFFICIENT REASON" defined - - - - - Act11,1886,s.43.

"SUIT" defined. (*See also* LAND-SUIT; PROSECUTING A SUIT; UNCLASSED SUIT) - - - - Act15,1877,s.3. Act21,1879,s.19. Act4,1880,s.2. Act14,1882,s,582. Act22,1886,s.3(*2*).

"SUIT FOR FORECLOSURE" defined - - - - Act4,1882,s.67.

"SUIT FOR REDEMPTION" defined - - - - Act4,1882,s.60.

"SUIT OF A CIVIL NATURE" defined - - - - Act14,1882,s.11,*Expln.*

"SUMMONS-CASE" defined - - - - - Act10,1882,s.44(*t*).

"SUPERANNUATION ALLOWANCE" defined - - - 55-6V.c.40,s.4.

"SUPERINTENDENT" defined - - - - - 57-8V.c.60,s.742. Act1,1882,s.3. Ben.Act1,1887,s.2. Reg.1,1894,s.10(*b*). Reg.5,1896,s 2(*1*).

"SUPERINTENDING CANAL-OFFICER" defined - - - Act8,1873,s.3(*7*). Act2,1881,s.2(*4*).

"SUPERIOR COURT" defined - - - - - 22-3V.c.63,s.5. 24V c.11.s.4. 44-5V.c.58,s.190(*29*). 44-5V.c.69,s 39.

"SUPERIOR HOLDER" defined - - - - - Bom.Act2,1876,s.3(*4*). Bom. Act5,1879,s.3(*13*).

"SUPERIOR OFFICER" defined - - - - 44-5V.c.58,s.190(*7*). Act5,1869,Pt.1,cl.(*e*)(*7*) (ins.Act12,1894,s.4). Act14,1887,s.2(*1*)(*e*). Act15,1887,s.5(*2*). Act5,1892,s.4(*2*). Reg.2,1888.s.4(*2*).

"SUPPLY OF WATER FOR DOMESTIC PURPOSES" defined - - Act19,1884,s.2(*8*). N.&O.Act1,1891,s.2(*f*).

"SURETY" defined - - - - - - - Act9,1872,s.126.

"SURVEY" defined. (*See also* BOMBAY CITY SURVEY; REVENUE SURVEY) - - - - Ben.Act5,1875,s 2. Ben,Act1,1887,s.2.

"SURVEY-MARK" defined - - - - - Act5,1880,s.1A(ins.Act2, 1895,s.3). Act17,1887,s.3(*17*).

WORDS AND PHRASES—*cont.*:

"SURVEY-BOUNDARY-MARK" defined - - - - - Bom.Act2,1876,s.3(3).

"SURVEY-NUMBER" defined - - - - - Act18,1881,s.4(*6a*)(am. Act16,1889,s.6). Act9,1883,s.51(*2*)(ins. Act17,1889,s.12). Bom.Act5,1879,s.3(*6*).

"SURVEY-OFFICER" defined - - - - - Bom.Act5,1879,s.3(*2*).

"SURVEYOR" defined. *See* LICENSED SURVEYOR.

"SWEAR" defined. (*See also* AFFIDAVIT; OATH) - - 44-5V.c.58,s.190(*28*). 52V.c.10,s.11). 52-3V.c.63,s.3. Act10,1897,s.3(*55*). Ben.Act5,1867,s.1. Bom.Act3,1886,s.3(*19*). Mad.Act1,1891,s.3(*20*). N.&O.Act1,1887,s.2(*25*).

"TAHSILDAR" defined. (*See also* CIRCLE TAHSILDAR) - - Reg.1,1894,s.10(*h*).

"TALUK" defined. (*See also* DEPENDENT TALUK; INDEPENDENT TALUK) - - - - - Bom.Act1,1884,s.3(*4*). Mad.Act5,1884,s.3(*ii*).

"TALUKDAR" defined. (*See also* REGISTERED TALUKDAR; TALUKDAR, THAKUR OR JAGIRDAR) - Act1,1869,s.2. Act24,1870,s.2. Bom.Act6,1888,ss.2(*1*),(*a*),2(*2*).

"TALUKDAR, THAKUR OR JAGIRDAR" defined - - - Reg.4,1872,s.1.

"TANK" defined - - - - - - - - Reg.8,1887,s.(*4*).

"TARI" defined. (*See also* LIQUOR) - - - - Act12,1896,s.3(*g*). Ben.Act7,1878,s.4(ins. Ben.Act1,1883,s.2).

"TARWAD" defined - - - - - - - Mad.Act4,1896,s.2.

"TAX" defined. (*See also* ARREAR OF TAX; PROPERTY TAX; QUALIFYING TAX) - - - - Bom.Act3,1888,s.3(*p*).

"TELEGRAPH" defined - - - - - - Act13,1885,s.3(*1*). Ben.Act.9,1895,s.2(*9*).

"TELEGRAPH AUTHORITY" defined - - - - - Act13,1885,s.3(*6*). Ben.Act9,1895,s.2(*g*).

"TELEGRAPH LINE" defined - - - - - Act13,1885,s.3(*4*). Ben.Act9,1895,s.2(*9*).

"TELEGRAPH OFFICER" defined - - - - - - Act13,1885,s.3(*2*).

"TEMPORARY INJUNCTION" defined - - - - - Act1,1877,s.[redacted]

"TEMPORARILY-SETTLED ESTATE," defined - - - Reg.1,1886,s.3(*d*).

"TENANCY" defined - - - - - - - Act16,1887,s.4(*8*). Act17,1887,s.3(*4*).

"TENANT" defined. (*See also* ABSOLUTE OCCUPANCY TENANT; EX-PROPRIETARY TENANT; OCCUPANCY TENANT; ORDINARY TENANT; RAYAT; SUB-TENANT; UNDER-TENANT; VILLAGE-SERVICE TENANT) - - - Act3,1878,s.3(am. Act 8,1879,s.28). Act12,1881,ss.3(*1A*),34, *Expln.*,*48*,*Expln.* Act18,1881,s.4(*14*). Act9,1883,s.3(*2*). Act8,1885,s.3(*3*).

WORDS AND PHRASES—*cont.* :

"TENANT" defined—*cont.* - - - - - Act22,1886,s.3(*10*). Act16,1887,s.4(*5*),(*7*). Act17,1887,s.3(*4*). Act9,1889,ss.4(*4*),9(*4*). Bom.Act5,s.3(*15*). Mad.Act8,1865,s.1. Mad.Act5,1884,s.3(*xii*). Mad.Act1,1887,s.2(*1*). Reg.3,1879,s.2(*3*). Reg.1,1889,s.3(*3*). Reg.6,1893,s.2(*4*).

"TENANT AT A FIXED RATE" defined - - - - Act10,1881,s.5.

"TENANT-AT-WILL" defined - - - - - Reg.2,1877,s.21.

"TENURE" defined. (*See also* HEREDITARY TENURE; LIFE TENURE; PERMANENT TENURE; POLITICAL TENURE; UNDER-TENURE) - Act8,1885,s.3(*7*). Ben.Act7,1868,s.1. Ben.Act6,1873,s.3. Ben.Act5,1875,s.2. Ben.Act6,1880,s.3. Ben.Act8,1895,s.2(*o*). Ben.Act9,1880,ss.4, 40A(ins.Ben.Act2, 1881,s.4). Ben.Act2,1882,s.3.

"TENURE-HOLDER" defined. (*See also* HOLDER OF AN ESTATE OR TENURE) - - - Act8,1885,s.5(*1*). Ben.Act5,1875,s.2.

"TERMINAL" defined - - - - - - Act9,1890,s.3(*14*).

"TERRITORIAL WATER OF HER MAJESTY'S DOMINIONS" defined - 41-2V.c.73,s.7.

"THAKUR" defined. (*See also* TALUKDAR, THAKUR OR JAGIRDAR) Act21,1881,s.3.

"THEFT" defined - - - - - - - - Act45,1860,s.378.

"THROUGH TRAFFIC" defined - - - - - Act9,1890,s.3(*12*).

"THUG" defined - - - - - - - - Act45,1860,s.310.

"THUGYI" defined - - - - - - - Reg.14,1887,s.19.

"TICKET" defined - - - - - - - Act9,1890,s.3(*16*).

"TIDAL WATER" defined - - - - - - 57-8V.c.60,s.742.

"TIMBER" defined - - - - - - - Act7,1878,s.2(am.Act 5,1890,s.2). Act19,1881,s.3. Mad.Act5,1882,s.2. Reg.6,1887,s.2(*3*)[am. Reg.8,1890,s.2(*2*)]. Reg.5,1890,s.2(*6*). Reg.7,1891,s.3(*3*). Reg.6,1893,s.2(*10*).

"TO" defined - - - - - - - - Act10,1897,s.2(*1*). Bom.Act3,1886,s.3(*22*).

"TODA GIRAS' ALLOWANCE" defined - - - - Bom.Act7,1887,s.2.

"TODDY" defined - - - - - - - - Bom.Act5,1873,s.3(*6*). Mad.Act1,1886,s.3(*7*).

"TOLA" defined - - - - - - - - Act12,1896,s.3(*a*).

"TOLL" defined - - - - - - - - Act11,1886,s.3(*10*).

WORDS AND PHRASES—*cont.* :

"TOLL-KEEPER" defined - - - - - - Mad.Act5,1863,s.16.

"TON," defined - - - - - - - Act10,1889,s.3(*6*).

"TOUT" defined - - - - - - - Act18,1879,s.3(ad.Act 11,1896,s.1).

"TOWN" defined. (*See also* MUNICIPAL TOWN; PRESIDENCY-TOWN; VILLAGE, TOWN OR CITY) - Act13,1856,s.2. Act19,1884,s.2(*1*). Act13,1889,s.12(*2*). Act9,1892,s.2. Reg.6,1891,s.2.

"TOWN" OF CALCUTTA" defined - - - - - Ben.Act4,1866,s.3. Ben.Act7,1878,s.4. Ben.Act5,1880,s.2[am. Ben.Act2,1890,s.4(*1*)].

"TOWN OF BOMBAY" defined - - - - - Act4,1857,s.21.

"TOWN OF MADRAS" defined - - - - - Mad.Act1,1867,s.2,second.

"TOWN AND SUBURBS OF BOMBAY" defined - - - Bom.Act5,1863,s.28. Bom.Act6,1863,s.37.

"TOWN-DUTIES" defined - - - - - - Bom.Act3,1888,s.192(*2*).

"TRACT" defined. (*See also* HILL-TRACT) - - - Ben.Act8,1895,s.2(*i*).

"TRADE DESCRIPTION" defined - - - - - Act4,1889,s.2(*2*).

"TRADE-MARK" defined. (*See also* USING A FALSE TRADE-MARK) - - - - Act45,1860,s.478. Act4,1889,s.2(*1*).

"TRAFFIC" defined. (*See also* THROUGH TRAFFIC) - - Act9,1890,s.3(*11*).

"TRAMWAY" defined - - - - - - Act22,1883,s.2. Act1,1886,s.2. Act11,1886,s.3(*5*). Act9,1890,s.3(*1*). Ben.Act3,1883,s.2. Ben.Act1,1880,s.2. Bom.Act1,1874,s.2. Bom.Act2,1883,s.2.

"TRANSFER" defined - - - - - - Act27,1866,s.2. Act1,1869,s.2. Bom.Act2,1863,s.16(*g*). Bom.Act7,1863,s.32(*g*).

"TRANSFER OF PROPERTY "defined" - - - - Act4,1882,s.5.

"TRANSFEROR" defined - - - - - - Act5,1882,s.13.

"TRANSFEREE" defined - - - - - - Act5,1882,s.13.

"TRANSPORT" defined - - - - - - Act1,1878,s.3. Act11,1878,s.10,*Expln.* Act5,1886,s.3(*6*). Act12,1886,s.3(*4*). Mad.Act1,1888,s.3(*17*). Reg.12,1867,s.2(*4*).

"TREASURE" defined - - - - - - Act6,1878,s.3.

"TREATY" defined - - - - - - - 36-7V.c.59,s.2. 36-7V.c.88,s.2. 49-50V.c.33,s.11.

WORDS AND PHRASES—*cont.*:

"TREE" defined - - - - - - - Act7,1878,s.2(am.Act 5, 1890,s.2); Act19,1881,s.3(am.Act 1890,s.1); Mad.Act5,1882,s.2; Reg.6,1887,s.2(2)[am.; Reg.8,1890,s.2(1); Reg.5,1890,s.2(5); Reg.7,1891,s.3(2).

"TRESPASS" defined. *See* ACT OF TRESPASS; CRIMINAL TRESPASS; HOUSE-TRESPASS; LURKING HOUSE-TRESPASS; LURKING HOUSE-TRESPASS BY NIGHT.

"TRESPASSER" defined - - - - - - Act15,1882,s.4

"TRIAL" defined - - - - - - - Act18,1891,s.2(7)

"TRUST" defined. (*See also* AUTHOR OF THE TRUST; BREACH OF TRUST; CRIMINAL BREACH OF TRUST; INSTRUMENT OF TRUST) - - - Act27,1866,s.; Act3,1874,s.; Act1,1877,s.; Act2,1882,s.3

"TRUST-MONEY" defined - - - - - - Act2,1882,s.3

"TRUST-PROPERTY" defined - - - - - Act2,1882,s.3

"TRUSTEE" defined - - - - - - Act27,1866,s.2; Act1,1877,s.3; Act1,1877,s.3; Act2,1882,s.3; Mad.Act2,1886,s.

"TRUSTEES OF THE HARBOUR OF MADRAS" defined - - Mad.Act2,1886,s.

"UNCLASSED SUIT" defined - - - - - Act18,1884,s.3(3)(am.; Act13,1888,s.2)

"UNCULTIVATED LAND" defined - - - - Bom.Act1,1880,s.41,*Expl.*

"UNDERTAKERS" defined - - - - - Ben.Act9,1895,s.2(*b*)

"UNDERTAKING" defined - - - - - Act11,1886,s.3(8); Bom.Act1,1874,s.

"UNDER-PROPRIETARY RIGHT" defined - - - - Act22,1886,s.3(9)

"UNDER-PROPRIETOR" defined - - - - Act22,1886,s.3(8)

"UNDER-RAIYAT" defined - - - - - Act8,1885,s.4(3)

"UNDER-TENANT" defined - - - - - Ben.Act8,1879,s.

"UNDER-TENURE" defined - - - - - Ben.Act6,1880,s.; Ben.Act5,1887,s.

"UNDUE INFLUENCE" defined - - - - - Act9,1872,s.16

"UNION" defined. (*See also* MAJOR UNION; MINOR UNION) - Ben.Act5,1876,s.6(21); Mad.Act5,1884,s.

"UNLAWFUL" defined. *See* ILLEGAL.

"UNLAWFUL ASSEMBLY" defined. (*See also* MEMBER OF AN UNLAWFUL ASSEMBLY). Act45,1860,

"UNLIMITED CIVIL JURISDICTION" defined - - - 53-4V.c.27

"UNPROTECTED CHILD" defined - - - - Act13,1880,s.; Ben.Act5,188; Bom.Act1,1877,s.; Bom.Act4,1879,s.

WORDS AND PHRASES—*cont.* :

"UNPROTECTED CHILD" defined—*cont.* — Bom.Act1,1892,s.4(*e*). Mad.Act4,1884,s.3(*xx*). Mad.Act5,1884,s.3(*xvi*).

"UNPROTECTED PERSON" defined — Ben.Act5,1880,s.2.

"UNREGISTERED" defined — Act3,1877,s.50,*Expln.*

"UNREGISTERED COMPANY" defined — Act6,1882,s.243.

"UNSAFE" defined — Act7,1880,s.4.

"UNSEAWORTHY" defined — Act7,1880,s.4.

"UNSOUND MIND" defined. *See* LUNATIC; PERSON OF UNSOUND MIND.

"UPPER BURMA" defined — Act20,1886,s.2(*1*)(*a*). Act11,1889,s.3(*3*).

"UPPER PASSENGER DECK" defined — 57-8V.c.60,s.268(*5*).

"USING A FALSE PROPERTY-MARK" defined — Act45,1860,s.481.

"USING A FALSE TRADE-MARK" defined — Act45,1860,s.480.

"USUFRUCTUARY MORTGAGE" defined — Act4,1882,s.58(*d*).

"USUFRUCTUARY MORTGAGEE" defined — Act4,1882,s 58(*d*).

"VACCINATION AREA" defined — Bom.Act1,1892,s.4(*g*).

"VACCINATION-CIRCLE" defined — Act13,1880,s.2(*6*). Bom.Act1,1892,s.4(*4*).

"VACCINATION DISTRICT" defined — Bom.Act1,1877,s.3(am. Act16,1895). Bom.Act4,1879,s.3.

"VACCINATION SEASON" defined — Act13,1880.

"VACCINATOR" defined. (*See also* PRIVATE VACCINATOR; PUBLIC VACCINATOR) — Act.13,1880,s.2(*7*). Mad.Act4,1884,s.3(*xix*). Mad.Act5,1884,s.3(*xvii*).

"VAGRANT" defined — Act9,1874,s.3.

"VALUABLE SECURITY" defined — Act45,1860,s.30.

"VALUE" defined. (*See also* ANNUAL VALUE; ESTABLISHED PAR VALUE; REAL VALUE) — Act18,1884,s.3(*4*)(am. Act13,1888,s.2). Act16,1885,s.3. Act22,1886,s.3(*16*). Mad.Act1,1891,s.3(*32*). Reg.1,1896,s.3(*2*).

"VEHICLE" defined — Bom.Act3,1888,s.3(*q*).

"VESSEL" defined. (*See also* COASTING-VESSEL; EMIGRANT-VESSEL; INLAND STEAM-VESSEL; SHIP-STEAM-VESSEL) — 36-7V.c.59,s.2. 36-7V.c.88,s.2. 48-9V.c.49,s.12. 57-8V.c.60,s.742. Act45,1860,s.48. Act3,1864,s.1. Act8,1873,s.3(*4*). Act8,1878,s.3(*f*). Act1,1879,s.3(*20*). Act9,1879,s.3. Act 15,1879,s.2. Act2,1881,s.2(*2*).

WORDS AND PHRASES—*cont.* :

"VESSEL" defined—*cont.* - - - - - Act16,1881,s.7
Act1,1882,s.
Act21,1883,s.6(7
Act4,1884,s.4(3)
Act6,1884,s.5(1
Act13,1887,s.2(4
Act10,1889,s.3(
Act5,1891,s.
Act2,1896,s.3(
Act10,1897,s.3(56
Ben.Act5,1864,s.
Ben.Act2,1887,s.
Ben.Act4,1887,s.
Bom.Act3,1886,s.3(18
Mad.Act3,1883,s.2(ii
Mad.Act3,1885,s.3(2
Mad.Act2,1886,s.3(5
Mad.Act2,1890,s.
Reg.3,1876,s.
Reg.12,1887,s.2(5

"VESSEL OF A FOREIGN STATE" defined. (*See also* SHIP FOR FOREIGN STATE) - 36-7V.c.88,s.

"VESTED INTEREST" defined - - - - - Act4,1882,ss.19,21

"VETERINARY SURGEON" defined - - - - Ben.Act8,1880,s.2

"VICE-ADMIRALTY CAUSE" defined - - - - Act16,1891,s.3

"VICE-ADMIRALTY COURT" defined - - - - 36-7V.c.88,s.2

"VILLAGE" defined - - - - - - Act18,1881,s.4(8)
Act10,1882,s.45,*Expln*
[am.Act3,1894,s.4;am
(L.B.)Act3,1889,s.
5;am.(U.B.)Reg.
14,1887,s.4].
Act1,1883,s.2.
Act9,1883,s.3(12).
Act8,1885,s.3(11).
Act3,1889,s.2(1).
Ben.Act6,1870,s.4.
Ben.Act5,1887,s.2.
Bom.Act1,1880,s.3(1).
Bom.Act1,1889,s.4(a).
Mad.Act1,1889,s.5.
Mad.Act2,1894,s.4.
Mad.Act3,1895,s.4.
N.&O.Act2,1892,s.2(1).
N.&O.Act3,1892,s.2(1).
Reg.14,1887,s.2(1).
Reg.3,1889,s.3.
Reg.4,1895,s.2(1).
Reg.2,1886,s.2(2).
Reg.5,1896,s.2(5).

"VILLAGE, TOWN OR CITY" defined - - - - Bom.Act5,1879,s.3(20).

WORDS AND PHRASES—*cont.*:

"VILLAGE-CESS" defined - - - - - Act18,1881,s.4(*3*). Act16,1887,s.4(*12*). Act17,1887,s.3(*10*).
"VILLAGE-CHANNEL" defined. (*See also* SEPARATE VILLAGE-CHANNEL) Ben.Act3,1876,s.3(*2*).
"VILLAGE COURT" defined - - - - - Mad.Act1,1889,s.5.
"VILLAGE FOREST" defined - - - - - Act7,1878,s.27.
"VILLAGE FOREST-OFFICER" defined - - - - Reg.6,1893,s.2(*3*).
"VILLAGE-LAND" defined - - - - - N.&O.Act2,1892,s.2(*2*).
"VILLAGE MUNSIF" defined - - - - - Mad.Act1,1889,s.5. N.&O.Act3,1892,s.2(*3*).
"VILLAGE-OFFICE" defined - - - - - Mad.Act2,1894, s.4.
"VILLAGE-OFFICER" defined - - - - - Act16,1887,s.4(*13*). Act17,1887,s.3(*13*). Bom.Act4,1881,s.2. Mad.Act2,1894,s.4. Reg.4,1893,s.2. Reg.6,1893,s.2(*4*).
"VILLAGE-POLICEMAN" defined - - - - - Ben.Act5,1887,s.2.
"VILLAGE-SERVICE TENANT" defined - - - - Act9,1883,s.50A.(ins.Act 17,1889,s.11).
"VILLAGER" defined - - - - - - Reg.6,1874,s.2.
"VOID AGREEMENT" defined - - - - - Act9,1872,s.2(*g*).
"VOID CONTRACT" defined - - - - - Act9,1872,s.2(*j*).
"VOIDABLE CONTRACT" defined - - - - - Act9,1872,s.2(*i*).
"VOLUNTARILY" defined - - - - - Act45,1860,s.39.
"VOLUNTARILY CAUSING HURT" defined - - - Act45,1860,s.321. Act15,1887,s.3(*6*). Act5,1892,s.2(*6*). Reg.2,1888,s.2(*4*). Reg.4,1890,s.3(*5*).
"VOLUNTARILY CAUSING GRIEVOUS HURT" defined - - Act45,1860,s.322.
"VOLUNTEERS ON ACTUAL DUTY" defined - - - Act20,1869,s.4(*2*)(ins.Act 10,1896,s.2).
"VOYAGE" defined. (*See also* LONG VOYAGE; SHORT VOYAGE) - Act9,1879,s.3. Act6,1884,s.5(*5*). Act10,1887,s.5(*5*). Act14,1895,s.5(*3*).
"WAGES" defined - - - - - - 57-8V.c.60,s.742.
"WARD" defined. (*See also* GOVERNMENT WARD; MINOR) - Act8,1890,s.4(*3*). Ben.Act9,1879,s.3.
"WARD LIST" defined - - - - - - Bom.Act3,1888,s.19(*3*).
"WARD ROLL" defined - - - - - - Bom.Act3,1888,s.21(*2*).
"WAREHOUSE" defined - - - - - - Act8,1888,s.3(*i*). Act2,1895,s.3(*7*). Ben.Act1,1893,s.3(*8*).
"WAREHOUSING PORT" defined - - - - - Act4,1857,s.5. Act8,1878,s.3(*i*).
"WARNING" defined. *See* FORMAL WARNING.

WORDS AND PHRASES—*cont.*:

"WARRANT" defined - - - - - - 33-4V.c.52,s.26.
"WARRANT-CASE" defined - - - - - Act10,1882,s.4(*s*).
"WARRANT-OFFICER" defined - - - - - Act14,1887,s.2(1)(c).
"WASTE LAND" defined. (*See also* PROTECTED WASTE LAND) - Reg.6,1893,s.2(5).
"WATAN" defined - - - - - - Bom.Act6,1887,s.3.
"WATAN PROPERTY" defined - - - - - Bom.Act3,1874,s.4.
"WATANDAR" defined - - - - - - Bom.Act3,1874,s.4.
"WATER" defined. (*See also* INLAND WATER; INDIAN WATERS; PRIVATE WATER; RIVER; TERRITORIAL WATERS; TIDAL WATER) - - - Act4,1897,s.4(2).
"WATER COURSE" defined. (*See also* PUBLIC WATER-COURSE) - Act8,1873,s.3(2). Ben.Act6,1873,s.3. Ben.Act2,1882,s.3. Bom.Act7,1879,s.3(2). Reg.8,1887,s.2(6).
"WATER-RENT" defined - - - - - - Act19,1884,s.2(7).
"WATER-REVENUE" defined - - - - - Reg.8,1887,s.2(8).
"WATER-WORKS" defined - - - - - Act19,1884,s.2(5). Bom.Act3,1888,s.3(*t*). N.&O.Act1,1891,s.2(*e*).
"WEIGHTS" defined. (*See also* SER; TOLA) - - - N.&O.Act1,1892,s.2(3). Reg.4,1895,s.2(2).
"WHARF" defined - - - - - - Bom.Act6,1879,s.3(7). Mad.Act2,1886,s.3(9).
"WHOLESALE" defined - - - - - - Act12,1896,s.3(*n*). Ben.Act7,1878,s.15(am. Ben.Act1,1883,s.4).
"WILD BIRD" defined - - - - - - Act20,1887,s.2(3).
"WIDOW" defined - - - - - - - Act1,1869,s.21.
"WIFE" defined. (*See also* NATIVE WIFE) - - - Act15,1865,s.2.
"WILL" defined. (*See also* PRIVILEGE WILL) - - - Act25,1838,s.1. Act45,1860,s.31. Act10,1865,ss.3,88. Act1,1869,s.2. Act5,1881,s.3. Act10,1897,s.3(57). Mad.Act1,1891,s.3(3). N.&O.Act1,1887,s.2(3).
"WITHHOLDING OF RECEIPT" defined - - - - Act10,1859,s.10. Ben.Act1,1879,s.12.
"WOMAN" defined - - - - - - Act45,1860,s.10.
"WORKING DAY" defined - - - - - - Act2,1896,s.8,*Expln.*
"WORKS" defined. (*See also* DRAINAGE-WORK; IRRIGATION-WORK; PRIVATE SALT-WORK; SALT-WORK; SPECIAL SALT-WORK; WATER-WORKS) - - - - - Ben.Act9,1895,s.2(*i*).
"WRECK" defined - - - - - - 57-8V.c.60,s.510(1). Act7,1880,s.71.

WORDS AND PHRASES—*cont.* :

"WRITE" defined - - - - - - - Act5,1888,s.4(*7*). N.&O.Act1,1887,s.2(*34*).

"WRITING" defined - - - - - - 52-3V.c.63,s.20. Act1,1879,s.3(*21*). Act1,1882,s.3. Act10,1882,s.4(*e*). Act14,1882,s.2. Act10,1897,s.3(*58*). Bom.Act3,1886,s.3(*20*). Mad.Act4,1884,s.3(*vi*). Mad.Act1,1891,s.3(*37*).

"WRITTEN" defined - - - - - - Act1,1879,s.3. Act1,1882,s.3. Act10,1882,s.4(*e*). Act14,1882,s.2. Ben.Act3,1886,s.3(*20*). Mad.Act4,1884,s.3(*vi*).

"WRONGFUL CONFINEMENT" defined - - - - Act45,1860,s.340.

"WRONGFUL GAIN" defined - - - - - Act45,1860,s.23.

"WRONGFUL LOSS" defined - - - - - Act45,1860,s.23.

"WRONGFUL RESTRAINT" defined - - - - - Act45,1860,s.339.

"YARN" defined - - - - - - Act2,1896,s.3(*4*).

"YEAR" defined. (*See also* AGRICULTURAL YEAR; CESS YEAR; FINANCIAL YEAR; OFFICIAL YEAR; REVENUE YEAR) - - - - - Act45,1860,s.49. Act10,1865,s.3. Act21,1866,s.3. Act3,1878,s.3. Act9,1889,ss.4(*7*),9(*7*). Act10,1897,s.3(*59*). Ben.Act5,1876,s.6(*22*). Ben.Act9,1880,s.4. Ben.Act3,1884,s.6(*19*). Ben Act2,1888,s.3. Bom.Act5,1879,s.3(*21*). Bom.Act3,1886,s.3(*4*). Mad.Act1,1884,s.3(*d*)(*1*). Mad.Act1,1891,s.3(*38*). N.&O.Act1,1887,s.2.

"YOUTHFUL OFFENDER" defined. (*See also* JUVENILE OFFENDER) - - Act8,1897,ss.4(*a*),31(*2*).

"ZAMINDAR" defined. (*See also* LANDHOLDER) - - Act20,1881,s.3(am.Act11, 1884,s.2). Act16,1882,s.2. Act20,1896,s.2(*3*). Ben.Act6,1890,s.1. Ben.Act6,1873,s.3. Ben.Act5,1875,s.2. Ben.Act2,1882,s.3. Ben.Act5,1887,s.2.

WORKHOUSE. *See* VAGRANT.

WORKING.

Of Railway. *See* RAILWAY, 6.

Of Tramway. *See* TRAMWAY, 4; TRAMWAYS, A, 4.

WORKS.

Construction and maintenance of, for railway. *See* RAILWAY, 3.

WRECK. *See* MERCHANT SHIPPING, 8 (*b*).

WRITING; definitions of "write," "writing," and "written." *See* WORDS AND PHRASES.

YEAR; definitions of. *See* WORDS AND PHRASES.

YOUTHFUL OFFENDER.

Act extends to whole of British India except Coorg and Punjab, and may be extended to those provinces by notification	Act 8, 1897, section 1.
Definition of	,, s.4(*a*).
Power of Court to send offender to Reformatory School subject to rules of Local Government	Act 10, 1882, s.399 (pt. rep. locally, Act 8, 1897, s.3). Act 8, 1897, sections 8, 9.
Power of Magistrate to transfer offender from prison to Reformatory School	,, s.10.
Enquiry as to age before sending offender to Reformatory School	,, s.11.
Local Government to determine Reformatory School to which offender shall be sent	,, s.12.
Detention of offender in prison if accommodation in Reformatory School not available	
Not to be detained in Reformatory School after 18	,, s.13.
Discharge of, from Reformatory School	,, s.14.
Removal of, from one Reformatory School to another	,, ss.14,15.
Orders as to age of, or for sending him to Reformatory School, not subject to appeal or revision	,, s.16.
Licensing of, to employer of labour	,, ss.18 to 21,24.
Power of Superintendent or Board of Management of Reformatory School to apprentice offender; cancellation thereupon of unexpired term of his sentence	,, ss.22,24.
Escape of, from Reformatory School: penalty for abetting; re-arrest of offender	,, ss.28,29.
Procedure where offender in Reformatory School is again convicted and sentenced	,, s.32.
Power of Court to discharge boy or girl after admonition or to deliver him or her to parent or guardian under bond	,, s.31.
Act 15, 1869 (Prisoners' Testimony), applied to	,, s.30.

ZAMINDARS.

In Jhansi, Jalaun and Lalitpur Districts. *See* INCUMBERED ESTATES, VII.

In Sindh. *See* INCUMBERED ESTATES, IV.

See also LANDHOLDER; LANDLORD AND TENANT; LAND-REVENUE.

ZAMINDARI DAK. *See* POST OFFICE (INDIAN LAW), 6.

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